

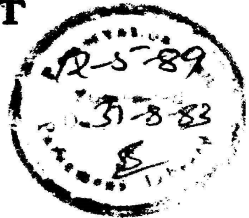
Wednesday, 13th December, 1950



PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT



THIRD SESSION (FIRST PART)

of the

PARLIAMENT OF INDIA

(1950)

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CONTENTS

Volume V.—15th November to 22nd December, 1950.

	Columns		Columns
Wednesday, 15th November, 1950—			
Members sworn	I		
Oral Answers to Questions	1—28		
Written Answers to Questions	28—50		
Thursday, 16th November, 1950—			
Oral Answers to Questions	51—76		
Written Answers to Questions	76—90		
Friday, 17th November, 1950—			
Oral Answers to Questions	91—120		
Written Answers to Questions	120—30		
Monday, 20th November, 1950—			
Oral Answers to Questions	131—56		
Written Answers to Questions	156—74		
Tuesday, 21st November, 1950—			
Member sworn	175		
Oral Answers to Questions	175—99		
Written Answers to Questions	199—224		
Wednesday, 22nd November, 1950—			
Oral Answers to Questions	225—51		
Written Answers to Questions	252—66		
Thursday, 23rd November, 1950—			
Oral Answers to Questions	267—94		
Written Answers to Questions	294—308		
Saturday, 25th November, 1950—			
Oral Answers to Questions	309—39		
Written Answers to Questions	339—52		
Monday, 27th November, 1950—			
Oral Answers to Questions	353—81		
Written Answers to Questions	381—90		
Tuesday, 28th November, 1950—			
Oral Answers to Questions	391—418		
Written Answers to Questions	418—36		
Wednesday, 29th November, 1950—			
Oral Answers to Questions	437—63		
Written Answers to Questions	463—78		
Thursday, 30th November, 1950—			
Oral Answers to Questions	479—511		
Written Answers to Questions	511—18		
Friday, 1st December, 1950—			
Oral Answers to Questions	519—47		
Written Answers to Questions	547—60		
Monday, 4th December, 1950—			
Oral Answers to Questions	561—98		
Written Answers to Questions	598—610		
Tuesday, 5th December, 1950—			
Oral Answers to Questions	611—45		
Written Answers to Questions	645—52		
Wednesday, 6th December, 1950—			
Oral Answers to Questions	653—81		
Written Answers to Questions	681—702		
Thursday, 7th December, 1950—			
Oral Answers to Questions	703—31		
Written Answers to Questions	731—38		
Friday, 8th December, 1950—			
Oral Answers to Questions	739—67		
Written Answers to Questions	767—72		
Monday, 11th December, 1950—			
Oral Answers to Questions	773—801		
Written Answers to Questions	801—12		
Tuesday, 12th December, 1950—			
Oral Answers to Questions	813—43		
Written Answers to Questions	843—46		

CONTENTS

	Columns		Columns
Wednesday, 13th December, 1950—		Tuesday, 19th December, 1950—	
Oral Answers to Questions	847—79	Oral Answers to Questions	1017—45
Written Answers to Questions	879—86	Written Answers to Questions	1045—70
Thursday, 14th December, 1950—		Wednesday, 20th December, 1950—	
Oral Answer to Questions	887—912	Member sworn	1071
Written Answers to Questions	912—26	Oral Answers to Questions	1071—97
Monday, 18th December, 1950—		Written Answers to Questions	1097—1124
Oral Answers to Questions	927—63	Thursday, 21st December, 1950—	
Written Answers to Questions	963—1016	Oral Answers to Questions	1125—32
		Friday, 22nd December, 1950—	
		Oral Answers to Questions	1133—36

THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

847

848

PARLIAMENT OF INDIA

Wednesday, 13th December, 1950

*The House met at a Quarter to Eleven
of the Clock.*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

DETENTION ACT

*856. **Shri Sidhva:** (a) Will the Minister of **Home Affairs** be pleased to state the number of cases tried by the Supreme Court challenging under the Fundamental Rights Article of the Constitution the validity of the Detention Act passed by the Parliament?

(b) What were the results of these cases?

The Minister Without Portfolio (Shri Rajagopalachari): (a) 19.

(b) 13 petitions dismissed.

5 petitions filed as detenus were released before their cases came up for hearing.

One is pending.

**ASSAM EARTHQUAKE (REHABILITATION AND
RECONSTRUCTION MEASURES)**

*857. **Shri Kamath:** Will the Minister of **Home Affairs** be pleased to state the measures of rehabilitation and reconstruction which Government have in view for Assam after the recent earthquake?

The Minister Without Portfolio (Shri Rajagopalachari): I lay a statement on the Table of the House giving all such information as is available with the Government of India. [See Appendix VII, annexure No. 12.]

Shri Kamath: Have Government any figures to give about the total property—house property, buildings or standing crops—destroyed or washed away or which have vanished underground during the earthquake?

Shri Rajagopalachari: The magnitude of the problems have not yet been fully assessed. I can give figures as to what has been done but not figures as to the total amount of damage.

Shri Kamath: What is the machinery for co-ordination of efforts between the Central Government and the State Government in the matter of rehabilitation?

Shri Rajagopalachari: The machinery is the Government of India. We make various grants and give loans to the State Government which is responsible for the execution of the whole matter. The machinery is the machinery of Government; no special machinery has been created.

Shri R. K. Chaudhuri: Is it a fact that the entire work is being done at the instance of the Governor's Earthquake Relief Committee and no measure has been taken actually by the Government of India and that not a single penny has been spent by the Government of India?

Shri Rajagopalachari: It is a very wrong impression. The State Government have decided to issue loans to the extent of Rs. 1,19,000 in the current season for the purchase of seeds. Sanction has already been given for the purchase of 300 pairs of bullocks at a cost of Rs. 1,87,000. Arrangements are under way for the purchase of another 500 pairs. Seeds are being distributed. Inaccessible areas are reached by air and a very large number of families have been put on available waste lands and on forest lands and plans have been received for a large amount of rehabilitation measures. A total amount of Rs. 3,47 lakhs has been asked for which is to be given in three consecutive years by the Government of India to the State Government and also a loan of Rs. 32 lakhs to be paid to the State Government in two years repayable in 20 years. This request has been received and is under examination and consideration. It is totally wrong to say that we have done nothing.

Shri R. K. Chaudhuri: I want to know whether actually Rs. 347 lakhs have been given by the Government of India to the Government of Assam for this purpose?

Mr. Speaker: There has been a request for 347 lakhs, which is being considered by the Government of India.

Shri R. K. Chaudhuri: I want to know whether the amount asked for by the Government of Assam would be granted or not.

Shri Rajagopalachari: It is under consideration. Consideration means very real consideration.

Shri A. C. Guha: Has any estimate been made of the damage in the North East Tribal region?

Shri Rajagopalachari: Wherever possible we are trying to do. But, as I said, estimates cannot be very accurate. What is important is help and that is being rendered.

Shri Brajeshwar Prasad: I want to enquire whether any financial help, apart from this loan which is under the consideration of the Government of India, has been given to the Government of Assam up till now.

Shri Rajagopalachari: My impression is, Yes, Sir. If the hon. Member wants I would like a separate question to be put.

Shri Kamath: Have our geologists investigated into the causes, immediate and remote, of this earthquake and arrived at any conclusions?

Mr. Speaker: Order, order.

Shri A. C. Guha: In view of the fact that certain regions in the North East corner are now under the direct control of the External Affairs Ministry of the Government of India, have the Government taken any special measure to render help to these areas as also take an estimate of the damage done?

Shri Rajagopalachari: Yes, Sir, as I have already answered.

Shri R. K. Chaudhuri: In view of the fact that the rains will set in from March when do Government propose to come to a decision about the grant of the loan?

Shri Rajagopalachari: Of course every attempt is being made to deal with this very important matter in the most expeditious manner but hon. Member should know that we cannot be scattering about money without proper examination.

QUASI-PERMANENT HANDS

*860. **Shri Tyagi:** (a) Will the Minister of Home Affairs be pleased to state whether his Ministry had issued instructions on the 11th July 1949, to the effect that employment on the 1st July, 1949 was the 1st crucial date for declaration as "quasi-permanent" of such temporary hands, as had fulfilled certain conditions pertaining to age, qualifications, length of service and suitability?

(b) How many hands had been declared as quasi-permanent by various Ministries on 1st July of 1949 and of 1950?

(c) Did the Home Ministry issue another order on the 2nd March 1950 to the effect that in the process of retrenchment, such persons as were declared "quasi-permanent" shall not be discharged before all other temporary hands had been discharged?

The Minister Without Portfolio (Shri Rajagopalachari): (a) Yes.

(b) The information is being collected and will be laid on the Table of the House in due course.

(c) This provision is contained in the Central Civil Services (Temporary Service) Rules and is also included in the Instructions for Retrenchment issued on the 2nd March, 1950.

Shri Tyagi: What are the qualifications required for a person to be declared as quasi permanent?

Shri Rajagopalachari: The appointing authority has to satisfy itself that the employee has put in the length of service in the grade and is suitable in respect of age, qualifications and work for employment in that grade in a quasi permanent capacity. The character and antecedents have to be verified as for permanent employment. The employee is to be examined by a Commissioned medical officer or Civil Surgeon as for permanent employment.

Shri Tyagi: Are there any such cases which could not be decided finally on the 11th July 1949 and also on the 11th July 1950—I mean such cases which could not be finally decided as to whether they deserve to be declared as quasi permanent or not? If there are such cases which have not been finally decided, are they being kept safe from retrenchment?

Shri Rajagopalachari: We have decided quite a large number of cases. The Home Ministry has received the cases of about 3,000 temporary employees of whom 1,300 are eligible for quasi permanent certificates. About

half the recommendations have been referred to the Commission, wherever that reference was necessary under the rules. The rest are under scrutiny. The procedure is now getting quite clear in the minds of the various Ministries concerned and I promise that the progress will be more rapid.

INFECTIOUS DISEASES HOSPITAL, DELHI

*861. **Dr. M. M. Das:** (a) Will the Minister of Health be pleased to state whether any steps have been taken by Government for implementing the proposed scheme of an Infectious Diseases Hospital in Delhi?

(b) Is there any existing Infectious Diseases Hospital in Delhi?

(c) If so, what is the total number of beds there and what are the diseases that are treated in this hospital?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). An Infectious Diseases Hospital already exists in Kingsway, Delhi. Some time ago it was proposed to construct a new Infectious Diseases Hospital at a different site in Delhi with a capacity of 100 beds. In view of the present financial stringency, however, that proposal has been dropped and it has now been decided to construct an extension to the existing hospital.

(c) The number of beds in the hospital is 45. Arrangements exist for their expansion up to 150 in times of emergency. For this purpose, cement platforms have been put up and tents are kept in stock. The diseases treated in the hospital are:

- (1) cholera;
- (2) smallpox;
- (3) chickenpox;
- (4) diphtheria;
- (5) cerebrospinal meningitis;
- (6) mumps;
- (7) rabies;
- (8) measles, and
- (9) whooping cough.

Dr. M. M. Das: May I know the average total number of patients attending this hospital annually?

Rajkumari Amrit Kaur: I would have to have notice of that question.

Dr. M. M. Das: May I know whether this hospital situated in Kingsway is a Government-managed hospital or whether it is run by a trust or by a private body?

Rajkumari Amrit Kaur: It is a Government hospital.

Dr. M. M. Das: May I know the annual expenditure that is incurred by Government for this hospital?

Rajkumari Amrit Kaur: I would have to have notice of that question.

Dr. M. M. Das: May I know the number of doctors and nurses that are employed in this hospital, and whether they are honorary or paid?

Rajkumari Amrit Kaur: They are naturally paid.

Dr. M. M. Das: But how many are there?

Rajkumari Amrit Kaur: I could not tell you the exact number.

Shri R. K. Chaudhuri: Has the necessity for a second hospital increased or has it dropped?

Rajkumari Amrit Kaur: There is no question of a second hospital—it was only a question of expansion. In view of the increased population of Delhi, it is thought necessary to expand it. As a matter of fact, we have been singularly free of epidemics.

Shri Sidhva: May I know whether diphtheria cases are admitted in this Infectious Diseases Hospital?

Rajkumari Amrit Kaur: Yes, Sir. I have already mentioned that diphtheria is one of the diseases treated in the hospital.

Shri Sidhva: Is it correct that in the month of February this year some cases of diphtheria sent to this hospital were refused on the ground that diphtheria is not treated there?

Rajkumari Amrit Kaur: I have no knowledge of that.

RURAL BANKING ENQUIRY COMMITTEE

*862. **Prof. Ranga:** (a) Will the Minister of Finance be pleased to state whether Government have completed their examination of the Rural Banking Enquiry Committee report?

(b) What recommendations have been accepted by Government?

(c) What action do Government propose to take to improve the Banking facilities available for rural India?

The Minister of Finance (Shri C. D. Deshmukh): (a) to (c). The recommendations of the Rural Banking Enquiry Committee are still under examination and no decisions have yet been taken.

SELLING OF GOVERNMENT SECURITIES BY RAJASTHAN

*863. **Shri D. S. Seth:** Will the Minister of States be pleased to state:

(a) whether it is a fact that the Shastri Government of Rajasthan

sold away Government securities of the value of rupees forty five lakhs and converted this Gilt-edged investment into shares;

(b) whether the Rajasthan Government had had any previous consultation with the Union Government before entering into the deal;

(c) whether the above conversion of securities into shares was done through some private individual; and

(d) if the answer to part (b) above be in the negative, whether Government propose to investigate into all the facts concerning this conversion of securities?

The Minister Without Portfolio (Shri Rajagopalachari): (a) No, Sir.

(b) to (d). Do not arise.

The question appears to be based on a newspaper report which again was probably founded on the fact that a sum of Rs. 42 lakhs was paid by the Rajasthan Government towards call money on shares which had been already purchased by the former Jai-pur Government in certain newly-established concerns.

Shri Raj Bahadur: May I know the concern whose shares have been purchased?

Mr. Speaker: I think it is going too far.

DOUBLE TAXATION RELIEF

*864. **Prof. S. N. Mishra:** Will the Minister of Finance be pleased to state the result of the negotiations, in respect of double taxation relief, between the Governments of India and Burma?

The Minister of Finance (Shri C. D. Deshmukh): Nothing so far.

MOBILE BANKS

*865. **Prof. S. N. Mishra:** Will the Minister of Finance be pleased to state whether the scheme of Mobile Banks has been launched in any part of India?

The Minister of Finance (Shri C. D. Deshmukh): Yes, Sir. A mobile bank has been started by the Bank of Patiala on the 15th November, 1950, for operation in PEPSU.

Prof. S. N. Mishra: To what extent has this mobile bank succeeded in tapping rural savings? Have Government any information about it?

Shri C. D. Deshmukh: The Patiala Mobile Bank started functioning from

the 15th November and is covering thirty villages which are visited once a week or twice a week as necessary. It has so far attracted 83 savings bank accounts, one floating and one fixed deposit account. It has received good reception in rural areas and the villagers are evincing keen interest. I have got no further statistical information in regard to the savings collected.

Dr. Deshmukh: May I know if this is an independent organisation or whether it is attached to any bank?

Shri C. D. Deshmukh: It has been started by the Bank of Patiala.

Shri Syamnandan Sahaya: Have these mobile banks any fixed dates for visiting fixed areas?

Shri C. D. Deshmukh: I don't know about the details of their operation. I think they must be aiming at covering the villages reasonably frequently. What I read out just now was that they visited them once a week.

DEFENCE OF KASHMIR

*866. **Prof. K. T. Shah:** Will the Minister of Defence be pleased to state what has been the total expenditure incurred in the defence against aggression in Kashmir since October 1947?

The Deputy Minister of Defence (Major General Himatsinghji): It would not be in the public interest to disclose this information.

RECRUITMENT OF PRINCES TO CENTRAL SERVICES

*867. **Shri Kamath:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that several members of the ruling families in the former Indian States have applied for recruitment to the I.A.S. and other Central Services;

(b) if so, how many; and

(c) whether the terms and conditions, salaries or other emoluments in their case will be in any way different from those ordinarily applicable to these services?

The Minister Without Portfolio (Shri Rajagopalachari): (a) and (b) The Government of India are examining the possibility of utilising the services of members of the ruling families in appropriate capacities where the required qualifications and experience so warrant. The States Ministry accordingly sponsored the

cases of 38 such persons and their cases are now under the consideration of the Special Recruitment Board.

(c) No.

It is not the intention that the terms and conditions of service of members of the ruling families of former Indian States who might be appointed to the Indian Administrative Service and to other Services, should be in any way different from those normally applicable to regular members of those Services.

Shri Kamath: With regard to the answer to part (c) of the question, the Minister said that the terms and conditions will not be in any way different. My question pertains also to the salaries and other emoluments. That part of it has not been answered.

Mr. Speaker: He said "conditions".

Shri Kamath: Does it include salaries and other emoluments?

Shri Rajagopalachari: There is no question of any difference in salaries or other emoluments.

Shri Kamath: Is it not a fact that a Special Recruitment Board has been appointed in this connection in order to interview members of the ruling families for these Services?

Shri Rajagopalachari: There is a Special Recruitment Board, but it is not only for this purpose.

Shri Syamnandan Sahaya: Will the minimum educational qualifications required for these Services be applicable to these recruits from the ruling Princes families also?

Mr. Speaker: He has said so.

Shri Rajagopalachari: I have already said, Sir, that where the required qualification and experience warrant such appointment, it will be done.

Shri Jhunjhunwala: May I know whether any preference or priority is given to such members of ruling families when compared with other ordinary applicants?

Shri Rajagopalachari: There is no question of priority. It is only a question of qualifications and of some help rendered to these people who have been ousted from their previous condition.

Mr. Speaker: His point is whether any preference is given. Assuming there are candidates of equal merit, one ordinary and one from the ruling family, whether the one from the ruling family has any preference.

Shri Rajagopalachari: No, Sir. Neither is it likely that two things will be exactly similar nor will there be any priority.

Shri Gautam: What exactly is the kind of help that the Government gives to these displaced people?

Mr. Speaker: What "kind of help"?

Shri Gautam: Yes, Sir. The hon. Minister said that some help is given to these people.

Mr. Speaker: Recruitment is a help.

Shri Raj Bahadur: May I know whether any members of the ruling families have been absorbed in the Central Services, and, if so, what is their number?

Shri Rajagopalachari: I said that of the 38 cases sponsored, 36 have gone through a preliminary process of selection and the remaining cases will be considered shortly—but it is only after it is completed that the results of the selection are expected. As for people who are absorbed in Defence and External Affairs, this number does not include that and if any figures and material are wanted a fresh question may be put.

Pandit Munishwar Datt Upadhyay: Will the members of the ruling families get their family allowances along with the salaries and emoluments of these jobs?

Shri Rajagopalachari: It is not people who get their allowances, such as have been referred to, that are likely to be selected. These are all cases of junior people.

Shri Kamath: What are the reasons for the appointment of a Special Recruitment Board in connection with these services when there is the U.P.S.C. functioning?

Shri Rajagopalachari: There are different cases to be examined, different kinds of examination are required, some of them are already in the service and so on. This, as I said, is a Special Recruitment Board, but not for this purpose only.

NAVAL AVIATION PILOTS

*868. **Dr. R. S. Singh:** (a) Will the Minister of Defence be pleased to state whether training facilities exist in India for India's naval aviation pilots?

(b) If not, to which country or countries are these pilots sent for training?

(c) What is the number of such pilots at present?

The Deputy Minister of Defence (Major General Himatsinhji): (a) and (b) Adequate facilities do not exist at present in India for imparting all the training necessary for naval aviation personnel. Part of the training is carried out in India, and for the rest we are dependent on the U.K.

(c) 10 officers were sent to the U.K. in March 1949.

Dr. R. S. Singh: May I know the policy of Government in regard to the training of aviation pilots for the Indian Navy?

Major General Himatsinhji: Government of India have fully realised that they should have a balanced Navy for the defence of our coast, and therefore they have drawn up a plan for ten years. The progress of this plan will depend on the availability of finance and the equipment which we can get from outside.

Dr. R. S. Singh: Is it a fact that the I.N.S. Shivaji has been training some apprentices in aeronautical engineering?

Major General Himatsinhji: We have got a plan for development of Naval Aviation in India, but that plan has had to be modified on account of the lack of equipment that we get from the U.K. The U.K. want the equipment for themselves for their own use on account of the world situation.

Dr. R. S. Singh: May I know whether the Government of India propose to start any training centres for naval aviation pilots?

Major General Himatsinhji: There are two types of training for naval aircraft pilots. One is basic flying training which is carried out with the Air Force in India. The second is the so-called 'operational flying' training, and it is done in the U.K. The total training takes about two years.

Shri M. L. Gupta: The hon. Minister said 'finance permitting'. May I know whether our economy drive will affect this important section of our Armed Forces?

Major General Himatsinhji: I did not say that it will stop. The progress may be hurried up in one year when we have more money available and it may be less in another year when we have less money.

TRANSMITTER FOR CALCUTTA

*869. **Dr. R. S. Singh:** (a) Will the Minister of Information and Broadcasting be pleased to state, whether it

is a fact that a 50 K.W. medium wave broadcasting transmitter will be installed in Calcutta?

(b) If so, what is the estimated expenditure to be incurred on it?

(c) Do Government propose to install such transmitters in other large cities such as Bombay and Madras?

The Minister of State for Information and Broadcasting (Shri Diwakar): (a) Yes.

(b) The estimated capital expenditure on installation is Rs. 4,35,000.

(c) The 8-Year Plan for development of Broadcasting contemplates installation of 50 K.W. transmitters at Bombay, Madras, Calcutta, Delhi and Allahabad.

Dr. R. S. Singh: May I know whether the Government of India propose to establish a 50 K.W. medium wave transmitter in Ajmer also?

Shri Diwakar: No.

Shri J. N. Hazarika: Is there any proposal to instal another 50 K.W. medium wave transmitter at Gauhati?

Mr. Speaker: Order, order. I shall not allow questions in regard to particular places.

Dr. R. S. Singh: May I know when the transmitter which is going to be established in Calcutta will go on the air?

Shri Diwakar: It is expected to go on the air early next year.

Shri Tyagi: May I know why this money is being spent on these transmitters: was it on demand from the public, or did Government themselves think of investing this money?

Shri Diwakar: It may be said to be both.

Shri A. C. Guha: What are the areas to be covered by this high-powered transmitter?

Shri Diwakar: Naturally Bengal, Then Assam, Orissa and, Burma, if possible.

Shri A. C. Guha: Are any South East Asian countries intended to be covered by them?

Shri Diwakar: I think Burma is a foreign country.

Dr. R. S. Singh: Is it a fact that the original plan of the Government was to instal two transmitters each in Bombay, Calcutta and Madras?

Shri Diwakar: That was the plan. It is what is called the "Development Plan".

Shri Tyagi: May I know whether these stations will cover an area which is not covered up till now?

Shri Diwakar: More area is intended to be covered.

Shri Tyagi: I want to know if they are intended to cover new area which was not covered up till now?

Shri Diwakar: More area naturally means new area.

POINT FOUR PROGRAMME

*870. **Shri Rathnaswamy:** Will the Minister of Finance be pleased to state:

(a) whether Government have specified the nature of help they require from America under President Truman's Point Four Programme; and

(b) if so, what are the exact lines on which they have sought aid from America?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). The appropriation made by the Government of U.S.A. under the Point Four Programme will be allocated partly to the United Nations' specialised agencies for an Expanded Technical Assistance Scheme and the balance will be available for direct assistance. In both cases the assistance will be only for the services of technical experts and for training of qualified trainees and ancillary equipment. Proposals for assistance from some of the U.N.O. agencies have been made by the Government in respect of agriculture, health, scientific and technical institutes and labour, and a statement on the subject was laid on 30th November, 1950 on the Table of the House in reply to Starred Question No. 524 by Prof. Ranga. The requirements for which request for assistance under bilateral agreement is proposed to be made, are still under the consideration of Government.

Shri Rathnaswamy: What is the total amount earmarked for India?

Shri C. D. Deshmukh: Tentatively, we expect that it will be approximately a million and a quarter dollars.

Shri Rathnaswamy: Is it a fact that a representation was made that the amount earmarked is inadequate and should be increased?

Shri C. D. Deshmukh: No, Sir.

Shri M. A. Ayyangar: May I ask the hon. Minister if the assistance that is expected from the Point Four Programme is likely to reduce, to any considerable extent, our proposed expenditure according to the Commonwealth Programme of Rs. 1,800 and odd crores over six years?

Shri C. D. Deshmukh: I do not think that the two things are comparable. One is for technical assistance and the other is for capital assistance for carrying out part of the programme. The only thing that it can be compared with is the technical assistance programme under the Colombo Plan.

Shri Rathnaswamy: Is it a fact that some Indian students are to be sent for sociological and engineering studies in America?

Shri C. D. Deshmukh: The assistance takes into account or allows for the sending of individuals to U.S.A. for training, and once these specific schemes are approved, I have no doubt that students wishing to be trained in many branches will be included amongst the trainees.

Shri Rathnaswamy: Is it a fact that some American experts are to be brought here in order to assist in certain schemes like hydro-electric schemes?

Shri C. D. Deshmukh: Yes, American experts will be invited here, but in respect of which schemes they will be invited will depend on the agreement on the final programme.

Shri Kamath: Is the technical assistance anticipated under this Point Four Programme expected to be dovetailed or integrated into the total technical aid scheme under the Colombo Plan?

Shri C. D. Deshmukh: It will be supplementary to it, Sir.

Shri T. N. Singh: May I know whether the coming of these technicians will involve Government in any expenditure on outlay, laboratories or such things, and if so, what is the extent of the expenditure?

Shri C. D. Deshmukh: We have to bear a fair share of the local expenditure such as travelling allowance and other incidental expenditure. It is very difficult to give a figure of the total that will be involved in advance of an agreement being reached in regard to the specific schemes.

Shri Rathnaswamy: May I know how many students are to be trained under this scheme in America?

Shri C. D. Deshmukh: The schemes are yet to be agreed upon. We have sent a list of about 155 trainees, but it is possible that the actual number to be trained will be smaller, because some of the schemes may finally not be agreed upon.

CIVIL DEFENCE ORGANISATIONS

*871. **Shri Sivaprakasam:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Civil Defence organisations, such as A.R.P., Auxiliary Fire Service have been increased since January, 1950:

(b) whether Government propose to further increase the strength under Civil Defence in view of the disturbances on our borders: and

(c) if so, by how much?

The Minister Without Portfolio (Shri Rajagopalachari): (a) No.

(b) and (c). Government do not consider that the disturbed conditions on the frontiers of India necessitate the setting up or augmentation of Civil Defence measures. However, the whole question of Civil Defence measures is under examination.

POLICE ACTION IN HYDERABAD

*872. **Prof. K. T. Shah:** Will the Minister of States be pleased to state the amount of total expenditure incurred in the Police Action in Hyderabad in 1949?

The Minister Without Portfolio (Shri Rajagopalachari): It is not in the Public interest to disclose this information.

Shri Tyagi: rose—

Mr. Speaker: In view of the answer given, there is no point in putting any supplementaries.

Shri Tyagi: I want information on another point. On account of the fact that 'Police' is a provincial subject, is it proposed to realise the amount of expenditure from the State, or does the Centre propose meeting the whole of it?

Shri Rajagopalachari: I have no objection to say, Sir, that that expenditure has been divided equally between the State and the Government of India.

REHABILITATION FINANCE ADMINISTRATION

*873. **Shri Chandrika Ram:** Will the Minister of Finance be pleased to

state what is the rate of D.A. that is paid to the members of the Rehabilitation Finance Administration for attending the meetings of the Rehabilitation Finance Administration?

The Minister of Finance (Shri C. D. Deshmukh): The non-official members of the Rehabilitation Finance Administration receive a fee of Rs. 75 for each day of the meeting. No daily allowance is paid to them in addition.

Shri Chandrika Ram: Do Government propose to reduce this fee?

Shri C. D. Deshmukh: We have referred the question of the advisability of reducing this to the Administration.

Shri Raj Bahadur: May I know whether this allowance of Rs. 75 is paid for a day or two preceding and following the days of the meetings?

Shri C. D. Deshmukh: Under rule 29 of the General Regulations of the Administration, non-official members of the Administration receive a fee of Rs. 75 for each day of the meeting.

Shri Raj Bahadur: May I know whether they get this allowance even when the session of Parliament is on, in addition to their allowance from Parliament?

Shri C. D. Deshmukh: Not now.

Shri R. K. Chaudhuri: Is it a fact that Members have to stay on for three or four days after a meeting of one day, for want of passage?

Mr. Speaker: I am afraid we are going into an argument.

Shri R. K. Chaudhuri: It is not an argument, Sir.

Mr. Speaker: What information does the non. Member want?

Shri R. K. Chaudhuri: I want to know whether such a contingency arises that a Member has to remain in Delhi for four or five days, but he gets fee only for one day?

Mr. Speaker: Order, order.

Shri Sondhi: Is it a fact that two Members of this House have been asked to make a refund of about Rs. 3,000 which was overdrawn?

Shri C. D. Deshmukh: I think at one time both the allowance as admissible to a Member of Parliament and the fee from the Administration were drawn and a claim was made for the refund of that money. But what the amount is, I cannot say.

Shri Tyagi: May I know if some of the members who served on either this or other such Government com-

mittees have been disqualified from membership of this House?

Mr. Speaker: That question does not arise here.

Shri A. C. Guha: Is there any advisory body attached to this? If so, what is the number of members and what is the allowance given to them?

Shri C. D. Deshmukh: There is an advisory body call the Advisory Board, and the total number of members on it is fifteen. Their allowance now is Rs. 40 per day.

Shri Chattopadhyay: What is the total number of meetings so far held.

Shri C. D. Deshmukh: I am afraid I must have notice of that question.

BROADCASTING STATION AT CUDDAPPAH OR CHITTOOR

*874. **Dr. M. V. Gangadhar Siva:** Will the Minister of Information and Broadcasting be pleased to state whether there is any proposal to instal a broadcasting station at Cuddappah or Chittoor, in Ravalaseema, Madras State?

The Minister of State for Information and Broadcasting (Shri Diwakar): No, Sir.

Dr. M. V. Gangadhar Siva: Will the hon. Minister be pleased to investigate into the desirability of installing a broadcasting station in future in view of the importance of Rayalaseema?

Shri Diwakar: All such questions will be considered only when there is fresh planning.

REHABILITATION FINANCE ADMINISTRATION

*875. **Shri A. C. Guha:** Will the Minister of Finance be pleased to state:

(a) the number of applications for loans received by the Rehabilitation Finance Administration from 1st August, 1950 up to date with the total amount asked for;

(b) the number of applications received and sanctioned, as well as the amount sanctioned and paid to displaced persons from East Bengal; and

(c) the overhead charges including pay, allowances, T.A. and other expenses incurred by the Administration so far?

The Minister of Finance (Shri C. D. Deshmukh): (a) During the period from the 1st of August, 1950, to the

end of October, 1950, 677 applications for loans were received by the Rehabilitation Finance Administration and the total amount applied for is Rs. 199 lakhs.

(b) The figures in respect of displaced persons from East Pakistan since the inception of the Rehabilitation Finance Administration up to the end of October, 1950, are:

(i) Number of applications received—5342

(ii) Number of applications sanctioned—966

(iii) Amount sanctioned—Rs. 93 lakhs.

(iv) Amount paid—Rs. 30 lakhs.

(c) Rs. 24 lakhs approximately up to the end of October, 1950.

Shri A. C. Guha: What is the total amount drawn by this Administration from the Government so far?

Shri C. D. Deshmukh: I am afraid I must have notice of that question.

Shri A. C. Guha: How many branches of the Administration are there in different States and what is the establishment charge of these branches?

Shri C. D. Deshmukh: For that too I must ask for notice.

Shri A. C. Guha: May I know in how many cases applications have been sanctioned for the refugees in Assam and in how many cases payment has been made?

Shri C. D. Deshmukh: I have not got the break-up of the figures here.

Shri A. C. Guha: May I expect the hon. Minister to furnish us with these informations at an early date?

Shri C. D. Deshmukh: Yes, Sir, if he will put down a question.

Dr. Deshmukh: In view of the fact that the overhead expenses show such a large amount, are any efforts being made to cut down such expenses?

Shri C. D. Deshmukh: I am not prepared here with information in regard to the administrative expenses of the Administration.

Shri Kishorimohan Tripathi: Arising out of answer given to part (c) of the question, may I know the causes of delay in paying loans which have been already sanctioned?

Shri C. D. Deshmukh: There are the following factors:

(i) Some time has necessarily to lapse between the date of

sanction and the date on which the applicant commences drawing money after executing the necessary security documents and completing essential formalities.

- (ii) Frequently the guarantors offered by the applicants back out and the borrowers propose other guarantors about whose financial position fresh enquiries have to be made. This takes time.
- (iii) Where a borrower has some funds of his own, he has to invest them in business or industry before he could be permitted to draw on the Rehabilitation Finance Administration.
- (iv) In most cases displaced persons do not enter into commitments regarding premises, etc., before they are sure of finance. They start the preliminaries after they receive intimation of the sanction of the loan;
- (v) Difficulties and delays are experienced by borrowers in the matter of securing allotment of premises, electricity connections, permit quotas of controlled articles, etc., although the Central Government has requested all the State Governments to accord preferential treatment to a loanee of the Rehabilitation Finance Administration.

There are some more reasons, Sir.

Shri B. K. Das: Complaints are frequently made about the delay in the disposal of loan applications. Have any steps been taken to expedite their disposal?

Shri C. D. Deshmukh: I am not aware of any complaints having been made. But I am not in a position to answer that question. I can give figures of applications received and applications considered. Up to 30th October, 1950, the number of applications received was 17,793 and the number of applications considered was 11,099—which does not indicate very great delay.

Shri Sondhi: Has the hon. Minister any figures for the current year? Is it not a fact that the progress has been very much slowed down in the past six months?

Shri C. D. Deshmukh: You mean the figures only for this year?

Shri Sondhi: Yes.

Shri C. D. Deshmukh: I have not got separate figures.

Shri A. C. Guha: Has the hon. Minister received any complaints that applications have been pending for over a year?

Shri C. D. Deshmukh: I have not received any complaints, but in view of these questions I shall enquire and find out if there is any delay and what steps could be taken to reduce it.

JUDGES OF HIGH COURTS

*877. **Shri Raj Kanwar:** Will the Minister of Home Affairs be pleased to state:

(a) how many Judges were transferred from one High Court to another since the 15th August, 1947; and

(b) what is the total number of Judges of High Courts in the Country?

The Minister Without Portfolio (Shri Rajagopalachari): (a) Three.

(b) 140, including the Chief Justices.

Shri Raj Kanwar: May I know whether the Governments of the States and the Judges of the various High Courts—at least the Chief Justices—were consulted when embarking on this new policy of inter-State transfer, and, if so, what was the trend of their opinion?

Shri Rajagopalachari: Sir, I may say at once that the communications received in consultation cannot properly be stated in the House. The transfers have been very few and they have been for very urgent reasons. For instance, to get a Chief Justice for the Orissa High Court we had to draw a Judge from the Patna High Court. To get a Chief Justice for the East Punjab High Court we had to get a Judge from the Calcutta High Court. Similarly, to get a Chief Justice for the East Punjab High Court when the Chief Justice was made a Judge of the Federal Court we had to get a suitable one from the Bombay High Court. All these transfers were made after very full and due consideration and necessary consultations.

Shri Raj Kanwar: May I know in how many cases transfers of Puisne Judges were made from one High Court to another?

Shri Rajagopalachari: In answer to part (a) of the question I said three. I do not know if this question is different from that.

Shri Raj Bahadur: May I know the number of Judges who are still temporary out of the total number?

Shri Rajagopalachari: I do not think there can be any temporary Judge now.

Shri A. Joseph: Out of the number 140, may I know the number of Harijans and females appointed by the Government?

Mr. Speaker: Order, order.

Shri R. K. Chaudhuri: Is it a fact that on grounds of economy and some other grounds, only two Judges are allowed in the Assam High Court and in case of a difference of opinion they have got to support the judgment of the lower court?

Mr. Speaker: I think we need not go into it.

BUILDING OF HOUSES IN CANTONMENT TOWNS

*878. **Shri Tyagi:** Will the Minister of Defence be pleased to state whether the building of new houses or the re-building of the old houses to provide more accommodation in Cantonment towns outside Regimental areas is being definitely discouraged by the Directorate of Cantonments?

The Deputy Minister of Defence (Major General Himatsinhji): No.

Shri Tyagi: Have not any instructions been issued by the Defence Department to the effect that the building of new houses should not be permitted?

Major General Himatsinhji: My honourable and gallant colleague knows that the Cantonments are administered by the Military and used for the quartering and training of troops, and therefore there is no room for creating towns in these Cantonment areas.

Shri Tyagi: I was referring to the areas which are outside the Cantonment Lines—the civil areas attached to the Cantonment Boards. I want to know whether in these civil areas, which are within the precincts of the Cantonment Boards, it is the policy to encourage the building of civilian houses or not.

Major General Himatsinhji: The Central Cantonments Committee is still sitting and I am sure they will make their recommendations concerning this in the near future.

Shri Hussain Imam: May I know if the Government have received any representation from the Meerut Cantonment complaining on this head—that these are not allowed?

Mr. Speaker: I do not think we should support representations here. They will be duly considered by Government.

Shri R. K. Chaudhuri: Is it not a fact that even in large pieces of land more than one house is not allowed to be built in the Cantonment areas, and, if there is any rule, is there any proposal to revise the same?

Major General Himatsinhji: One of the terms of reference of the Central Cantonments Committee is to deal with this question. The reason why they do not allow construction of any buildings in certain areas is, that a lot of troops, as you know, are lying in snow and in the open. They will be returning back soon and if we allow buildings to be erected on these places it will raise questions of heavy compensation when we require back these sites for our use. For this reason the construction of buildings is not allowed, and I have no doubt that the Central Cantonments Committee will decide on the final policy, in their recommendations.

Shri Tyagi: Is the putting up of double-storeys permitted?

Mr. Speaker: I think these are details. They may be left to the Committee.

INTEGRATION OF INDIAN STATES FORCES

*879. **Kanwar Jaswant Singh:** Will the Minister of Defence be pleased to state whether the interviews of the Indian States forces Officers which were being held recently before the Selection Boards at Meerut and Bangalore, in connection with the integration of the Indian States forces with the Indian Army, have concluded?

The Deputy Minister of Defence (Major General Himatsinhji): Yes, excepting the interview of a few officers who, owing either to exigencies of service or medical grounds, were unable to attend.

Kanwar Jaswant Singh: May I know how many officers have been interviewed?

Major General Himatsinhji: Very nearly 1,100 have been interviewed so far.

Kanwar Jaswant Singh: How many of them have passed and how many have not been found up to standard?

Major General Himatsinhji: Approximately 50 per cent. of them have been found fit for Permanent Regular or Short Service Regular Commissions of three to five years. The rest have

not qualified up to the Regular Army standards.

Kanwar Jaswant Singh: What will happen to the people who have not passed?...

Mr. Speaker: Order, order.

Shri Dwivedi: How many officers were called for such interviews from the personnel of the disbanded forces of Vindhya Pradesh and Bhopal?

Major General Himatsinhji: We do not think in terms of States and Unions; we think in terms of a complete State Force.

Pandit Munishwar Datt Upadhyay: May I know how many posts of Commissioned officers have been abolished owing to the integration of these forces?

Major General Himatsinhji: Those who have not qualified are going to be given an opportunity of one year Short Service Regular Commission if they so desire. So far none of the posts have been abolished under the scheme except a few in those small States of Gujerat and Himachal Pradesh where the incumbents were either not fit or not willing to serve. I cannot give the number.

Kanwar Jaswant Singh: May I know whether those who are to retire on pensions will get the pensions according to the former States' rules or the Government of India pension rules?

Major General Himatsinhji: The Government of India have framed rules, which are generally better, in respect of mustering out concessions. Therefore they will get pensions or gratuities according to those Government of India rules.

STUDENTS IN DELHI

*880. **Giani G. S. Musafir:** (a) Will the Minister of Education be pleased to state whether it is a fact that the number of students in Delhi has very much increased since August, 1947?

(b) Have Government got any data in this connection?

مدرسٹر آف ایجوکیشن (مولانا)

آزاد : (اے) اور (بی) دونوں کا جواب

ہاں ہے۔

[The Minister of Education (Maulana Azad): (a) Yes, Sir.

(b) Yes, Sir.]

श्री टी० ऐन० सिंह : मैं यह जानना चाहता हूँ कि क्या गवर्नमेंट को ऐसी शिकायतें मिली हैं कि इस भीड़ की वजह से कभी कभी स्कूलों में लड़कों की भरती उस वक्त होती है जब कि वह प्राइवेट ट्यूशन्स में वहां के मास्टरों को रकखें ?

[Shri T. N. Singh: I would like to know whether the Government have received complaints to the effect that sometimes students are admitted in schools only when they engage the teachers of those very schools as their private tutors as well?]

مولانا آزاد : نہیں ایسی شکایت

گورنمنٹ کو نہیں ملی ہے۔ لیکن

پارٹیشن کے بعد دہلی کی آبادی

اچانک بہت بڑھ گئی ہے۔ پوری

کوشش کی گئی ہے اور کی جا رہی

ہے کہ جہاں تک ممکن ہو اسکولوں

کی تعداد بڑھائی جائے۔ پارٹیشن کے

پہلے دہلی میں ۳۸۶ اسکول تھے۔

اب ۶۱۵ اسکول ہیں لیکن پھر بھی

ممكن ہے کہ اچھے شکایتیں لوگوں کو

ہوتی ہوں۔ بہر حال گورنمنٹ برابر

کوشش کر رہی ہے۔

[Maulana Azad: No. The Government have received no such complaint. But the thing is that after the Partition the population of Delhi has suddenly increased. Efforts were made and are still being made to increase the number of schools as far as possible. Before Partition there were 386 schools in Delhi, now they are 615 in number; but even then it is possible that people might have some complaints. Anyhow Government is trying their best in this connection.]

श्री एस० ऐन० गुप्ता : क्या मोजजिज

मिनिस्टर इस बात पर गौर करेंगे कि बजाय गवर्नमेंट के पब्लिक इन्स्टिट्यूशन्स जो हैं उन को ज्यादा से ज्यादा मदद दी जाय ?

[**Shri M. L. Gupta:** Will the hon. Minister be pleased to consider the suggestion that more and more help should be given to the public institutions rather than to those which are run by the Government?]

مولانا آزاد : گورنمنٹ کا یہی طرز

عمل ہے ۔ گورنمنٹ ایسا ہی کر رہی

ہے ۔

[**Maulana Azad:** This is the method adopted by the Government. This is exactly what the Government is doing.]

Shri R. K. Chaudhuri: Arising out of the answer to the second part of the question—the hon. Minister replied "दोनों का जवाब हा है"

—may I know what is the data?

مولانا آزاد : آنریبل ممبر نے جو

سوال کیا تھا وہ یہ تھا :

"Whether it is a fact that the number of students in Delhi has very much increased since August, 1947."

اس کا جواب ہاں ہے ۔

دوسرا سوال یہ تھا :

"Have Government got any data in this connection."

اس کا جواب بھی ہاں ہے ۔

گورنمنٹ بے خبر نہیں رہتی ۔ تمام

حالات معلوم کرتی رہتی ہے ۔ آنریبل

ممبر اگر اُس سے زیادہ کچھ معلوم

کنا چاہتے تو ضرور لکھتے کہ وہ

دہ تینکا " کیا ہے بتلایا جائے ۔ لیکن

انہوں نے یہ بات نہیں پوچھی ہے ۔

[**Maulana Azad:** What the hon. Member asked was this: "whether it is a fact that the number of students in Delhi has very much increased since August 1947." Its answer is in the affirmative. The second question was: "Have Government got any data in this connection." Its answer too is in the affirmative. The Government do not remain unaware. They are ever making enquiries. Had the hon. Member wanted to know something more he would have certainly asked as to what that data was. But he has not asked this thing.]

EDUCATIONAL INSTITUTIONS FOR DISPLACED STUDENTS

*881. **Giani G. S. Musafir:** Will the Minister of Education be pleased to state:

(a) the number of educational institutions sponsored by the Government of India since August, 1947 to educate the displaced students; and

(b) the number of students so far enrolled by such institutions?

مستتر آف ایجوکیشن (مولانا

آزاد) : (اے) ایک استھٹمنٹ ہاؤس

کی ٹیبل پر دکھایا جاتا ہے ۔

[See Appendix VII annexure No. 13.]

(بی) ضروری انفارمیشن اکتھی

کی جا رہی ہے ۔ جب ہو جائے گی

تو ہاؤس کی ٹیبل پر دکھ دی جائے

گی ۔

[**The Minister of Education (Maulana Azad):** (a) A statement is placed on the Table of the House. [See Appendix VII, annexure No. 13.]

(b) Information is being collected.

श्री द्विवेदी : क्या मैं यह पूछ सकता

हूँ कि आया इन बड़े हुए इन्स्टीट्यूशन्स में रात में तालीम देने का इन्तिज़ाम है ?

[**Shri Dwivedi:** May I know whether there are any arrangements for night classes in these institutions?]

مولانا آزاد : سیکفڈ شفٹ بہت

بڑھا دئے گئے ہیں ۔ تقریباً دہلی کے

اسی (۸۰) اسکولوں میں دو شفٹ

جاری ہیں ۔ رات کی کلاسیں جاری

کی گئی ہیں یا نہیں یہ میں ابھی

نہیں بتا سکتا ۔

[**Maulana Azad:** The number of second shifts have been increased. Two shifts are being run in about eighty schools. Whether night classes have been started or not, I cannot give this information just now.]

श्री रघावी : दस शबाना दिया जाता

है या नहीं ?

[Shri Tyagi: Are there any night classes or not?]

श्री द्विवेदी : दूसरे शिफ्ट चलाने में
गवर्नमेंट का क्या खर्चा पड़ता है ?

[Shri Dwivedi: What expenses have the Government to incur for running second shift?]

مولانا آزاد : یہ میں ابھی نہیں
بتا سکتا - اس کے لئے نوٹس چاہیئے -

[Maulana Azad: I cannot give this information just now. I require notice for it.]

Shri B. K. Das: Is there any institution fully financed by Government?

مولانا آزاد : ہاں بہت سے ہیں -

[Maulana Azad: Yes, there are many.]

पंडित मुनीश्वर दत्त उपाध्याय : क्या
डिसप्लेस्ड विद्यार्थी मामूली स्कूलों में भरती
नहीं किये जा रहे हैं ?

[Pandit Munishwar Datt Upadhyay: Are the displaced students not being admitted in the ordinary schools?]

मि० स्पीकर : मैं ने नहीं सुना ।

[Mr. Speaker: I did not catch it.]

पंडित मुनीश्वर दत्त उपाध्याय : क्या
डिसप्लेस्ड विद्यार्थी मामूली स्कूलों में भरती
नहीं किये जा रहे हैं और उनके लिए अलग
स्कूल खोले गये हैं ?

[Pandit Munishwar Datt Upadhyay: Are the displaced persons not being admitted in the ordinary schools, so much so that separate schools have been opened for them?]

مولانا آزاد : نہیں انکی بہت بڑی
تعداد معمولی اسکولوں میں لی گئی
ہے - لیکن چونکہ تعداد بہت بڑی تھی
اس لئے نئے اسکول بھی کھولے پڑے -

[Maulana Azad: No. A large number of them has been admitted in the ordinary schools as well. But as the number was very large so new schools also had to be opened.]

श्री त्यागी : क्या दर्स शबिना का भी
कोई इन्तजाम किया गया है ?

[Shri Tyagi: Have any arrangements been made for night classes as well?]

CORPORATION OF POONA

*882. Shri Deogirikar: Will the Minister of Defence be pleased to state:

(a) whether Government propose to hand over the administration of either Kirkee or Poona cantonment or both, to the recently formed Corporation of Poona, in order to facilitate the smooth and efficient working of those areas; and

(b) if the answer to part (a) above be in the affirmative, when?

The Deputy Minister of Defence (Major General Himatsinhji): (a) No.

(b) Does not arise.

Shri Deogirikar: Was any Committee appointed to review the problem of transferring cantonment areas to municipal areas?

Major General Himatsinhji: Yes, Sir. The Central Cantonments Committee was appointed and we are awaiting their recommendations. In fact, certain steps have been taken. The Defence Ministry have implemented certain recommendations of the Committee, and certain lands in Agra and Ambala Cantonments have been offered to the respective State Governments.

Shri Deogirikar: How many meetings were held till now?

Major General Himatsinhji: Two meeting were held in November, and it is intended to have another meeting at the end of December.

Shri Deogirikar: When was this Committee appointed?

Major General Himatsinhji: May 1949.

Shri Deogirikar: When is the Committee expected to submit its report?

Major General Himatsinhji: My hon. friend, Mr. Sidhva is a Member of the Committee, Sir, and he would be able to reply to the question better than I.

SCHEDULED CASTES IN STATES

*883. Shri R. Velayudhan: (a) Will the Minister of Home Affairs be pleased to state whether it is a fact

that in the President's Notification dated 10th August 1950 the list showing the Scheduled Castes in the various States has been prepared with the concurrence of the State Governments concerned?

(b) Is it a fact that in the list now notified several Scheduled Castes which were in the previous list have been omitted?

(c) Is it a fact that similar omissions have been made in the case of Scheduled Tribes too?

The Minister Without Portfolio (Shri Rajagopalachari): (a) to (c). Yes.

Shri R. Velayudhan: May I know what was the basis for the selection of these castes?

Shri Rajagopalachari: The criterion for treating a caste as a Scheduled Caste, both in 1936 as it was and in 1950 now, is the same, namely that the caste should not only be backward socially and educationally but should also be subject to tangible social disabilities based on the custom of untouchability. The Scheduled Castes under the old order to which this criterion is reported to have ceased now to apply or found not to apply at any time are not now treated as Scheduled Caste.

Shri R. Velayudhan: May I know if the criterion of selection for including the Castes which the Government evolved in 1935 is the same as the selection under the notification of the President now? Then what was the reason for eliminating so many castes from the list of 1935?

Shri Rajagopalachari: I have already said that if a mistake was committed in 1936 in applying the same criterion, it does not follow that the mistake should be continued.

Pandit Munishwar Datt Upadhyay: May I know whether it is a fact that members of certain Scheduled Castes refused to be treated as Scheduled Castes?

Shri Rajagopalachari: I wish they did so, but I do not know.

Shri Dwivedi: May I know if any such lists have been prepared in Part C States?

Shri Rajagopalachari: I am afraid, they will have to wait a little.

Shri Sonavane: May I know whether the castes omitted recently from the list are touchables?

Shri Rajagopalachari: The castes recently omitted did not satisfy the double criterion that I have given, namely they should be backward and should also be subjected to the disabilities of the custom of untouchability, and where this criterion was not satisfied, they have been omitted. I may also add for the information of Members that many new castes have been added also, which were not in the list in 1936.

Shri Sonavane: Will the hon. Minister see that the main criterion is untouchability and that all such castes which are untouchables are included in this list?

Shri Rajagopalachari: Yes, Sir.

Shri Jangde: May I know whether the castes Meenathan and Khatig have been excluded from the Scheduled Castes?

Mr. Speaker: Order, order.

Shri Rathnaswamy: May I know which new castes have been included in this list of Scheduled Castes?

Shri Rajagopalachari: I will not be able to give the names but I can say that in Madras one new caste has been included, in Bombay 4 new castes have been included, in Uttar Pradesh 6 new castes have been included, in Punjab 7 new castes have been included, in Bihar 2 new castes have been included and in Orissa 40 new castes have been included.

Shri Tyagi: How is it that such castes as you have pointed out have been included in the Scheduled Castes now? Is it with their consent that they have been degraded to Scheduled Castes?

Mr. Speaker: Order, order. He has given the reason.

Shri Raj Bahadur: May I know the number of castes which have been omitted from the list of Scheduled Tribes in Madhya Pradesh and Rajasthan and the number of people involved?

Shri Rajagopalachari: I would request the hon. Member to put in a question with respect to the Provinces he has referred to. I may add that a starred question put by Mr. Kamath was answered in great detail in respect of Scheduled Tribes.

Shri Rathnaswamy: Is it a fact that certain castes which ordinarily fall under this category have of their own option not been included in this list of Scheduled Castes?

Shri Rajagopalachari: It is a question requiring much investigation, Sir.

because the question of option of a whole caste leads to the question of how that option was exercised. I would not be able to answer it off-hand.

Shri Barman: May I know from the hon. Minister whether there has been any revision in the criterion that was applied in 1935 and have there been any changes to that criterion?

Shri Rajagopalachari: There has been no change in that criterion, Sir, but perhaps the application raises difficulties because untouchability is not one standard form of untouchability.

Mr. Speaker: The Question Hour is over.

Short Notice Question and Answer

FOOD CRISIS IN MADHYA PRADESH

Shri Kamath: Will the Minister of Food be pleased to state:

(a) whether the attention of Government has been drawn to a statement made by the Home Minister of Madhya Pradesh, at a Press Conference in Nagpur (*vide* Times of India, Delhi edition dated the 5th December 1950, page 5, Col. 3) that the food situation in that State is grave; and

(b) if so, the measures that have been or are being taken by Government to tide over the crisis?

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): (a) Yes.

(b) The State has been allotted 18,000 tons of foodgrains recently. About 3,000 tons out of this has already moved, and the movement of the balance has also been programmed and will be completed before the end of the month.

With the allotment of 18,000 tons, the requirements up to the end of December should be covered, and it is estimated that they will have a closing balance of about 25,000 tons of foodgrains (including those procured locally) for distribution during January, 1951. As regards allotments for future, Central Government is keeping a close watch on the food situation in Madhya Pradesh and such allotments as are necessary and possible consistent with the requirements of other States, will be made.

Shri Kamath: Have any reports been received from the Madhya Pradesh Government regarding damage to the food crops in the State either by drought or by untimely rains or by excessive rains?

Shri Satya Narayan Sinha: Yes; 12,35,000 tons.

Shri Kamath: Is it a fact that Government has fixed an exportable surplus of food crops, in the State, at a figure higher than can be warranted by the damage that has been caused to crops in the State?

Shri Satya Narayan Sinha: I think these questions are being discussed in the Food Ministers' Conference in Bombay.

Mr. Speaker: The hon. Member knows that there is a Food Ministers' Conference in Bombay and these questions will be discussed there.

Shri Kishorimohan Tripathi: May I know the extent of damage to paddy crops in the Chhattisgarh area as a result of drought?

Shri Satya Narayan Sinha: It does not arise, Sir. I have got the figures for the whole State; I have not got separate figures for rice and other crops.

Dr. Deshmukh: What was the amount of food grains asked for by the Madhya Pradesh Government? May I know whether it is not a fact that the Central Government not being able to give the required amount, a lot of people have left the province and have gone to other places?

Shri Satya Narayan Sinha: We have no information to that effect.

Shri Kamath: Is it not a fact that the Madhya Pradesh Government asked for 25,000 tons of wheat and 25,000 tons of milo, and Government has supplied 9,000 tons of wheat and 14,000 tons of jowar and milo?

Shri Satya Narayan Sinha: We have supplied them 40,900 tons including wheat and other foodgrains and have taken from them 1,47,000 tons during 1950.

Mr. Speaker: We go to the next item of business.

Shri Kishorimohan Tripathi: One question, Sir. May I know, in view of the serious food situation in Madhya Pradesh, whether Government have decided to treat the province during the next year as a deficit province?

Mr. Speaker: Order, order.

Shri R. K. Chaudhuri: May I ask one question, Sir? When such an important short notice question was put to be answered in the House, may I know why neither the Minister nor the Deputy Minister is present in the House?

Mr. Speaker: The hon. Member knows, as I said just a few minutes ago, that both of them are at present busy in Bombay with a very important Conference which affects the interests of whole of India. The other course would have been to fix up this question for some other day.

Shri Kamath: That might have been done.

WRITTEN ANSWERS TO QUESTIONS

INDIAN ADMINISTRATIVE SERVICE

*858. **Shri Kesava Rao:** (a) Will the Minister of Home Affairs be pleased to state how many candidates for the Indian Administrative Service took advantage of the age exemption allowed to political sufferers?

(b) How many of them were finally selected?

(c) Is it a fact that applications from the political sufferers were rejected on the plea that they did not apply for permission to sit for the British Service Examination during the British regime when they were in jails?

The Minister Without Portfolio (Shri Rajagopalachari): (a) and (b) A statement is laid on the Table of the House. [See Appendix VII, annexure No. 14.]

(c) No.

"MONTESSORI" SYSTEM

*859. **Shri Kesava Rao:** (a) Will the Minister of Education be pleased to state how many schools in India are run on the "Montessori" system?

(b) Is any assistance given by the Central Government to these institutions?

(c) Have any Indian students been sent abroad for training in the "Montessori" system of education?

The Minister of Education (Maulana Azad): (a) The question concerns State Governments who are responsible for all school education. There are only two such schools in Part C States as far as information is available so far.

(b) No.

(c) One Hyderabad State Scholar was selected for training in Nursery and Kindergarten Work at a Montessori Training College in England.

SUBVENTION TO SIND AND N.W.F.P.

*876. **Maulvi Wajed Ali:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Provinces of Sind and N.W.F.P. used to receive subvention of rupees 55 lakhs and 1 crore annually, before the partition of India;

(b) if so, whether there is any proposal by Government to distribute these amounts to the States needing assistance; and

(c) whether Government propose to bring the matter of distribution of these pre-partition subventions before the proposed Financial Commission?

The Minister of Finance (Shri C. D. Deshmukh): (a) Yes, Sir. The subvention to Sind was, however, set off against the liability of that Province for the Lloyd Barrage and discontinued from 1944-45.

(b) No, Sir.

(c) No, Sir.

LOANS TO RULERS OF STATES

*884. **Shri Raj Kanwar:** Will the Minister of States be pleased to state:

(a) whether any loans made by the previous Government to the Rulers and the Governments of Indian States are still outstanding;

(b) if the reply to part (a) above be in the affirmative, what are their details; and

(c) how are they proposed to be recovered or adjusted?

The Minister Without Portfolio (Shri Rajagopalachari): (a) and (b) No loan granted to the Rulers of Indian States prior to 15th August 1947 is outstanding. A statement showing the loans granted to States prior to that date which are still outstanding is placed on the Table of the House. [See Appendix VII, annexure No. 15.]

(c) Recoveries from the States are effected in accordance with the terms of the loan agreements.

DECIMAL AND METRIC SYSTEM OF COINS

*885. **Giani G. S. Musafir:** Will the Minister of Finance be pleased to state whether any committee is considering the question of introducing the decimal and metric system of coins in India and if so, when is this report expected?

The Minister of Finance (Shri C. D. Deshmukh): No, Sir.

DIPLOMACY AND INTERNATIONAL SUBJECTS

*886. **Maulvi Haneef:** (a) Will the Minister of Education be pleased to

state how many batches have so far passed M.A. in the subject of Diplomacy and International Affairs from the Allahabad University?

(b) How many of them have been taken in the Ministry of External Affairs of the Government of India?

The Minister of Education (Maulana Azad): (a) The Allahabad University is a concern of the Government of Uttar Pradesh and not of the Government of India.

(b) None so far.

नौगांव का किचनर सैनिक प्रशिक्षण
महाविद्यालय :

*८८७ श्री आर० ऐस० तिवारी :

(ए) रक्षा मंत्री यह बतलाने की कृपा करेंगे कि क्या यह सत्य है कि नौगांव का किचनर सैनिक प्रशिक्षण महाविद्यालय बंद कर दिया गया है ?

(बी) यदि बंद कर दिया गया है, तो महाविद्यालय के भवनों का क्या उपयोग किया जायेगा ?

(सी) क्या इस क्षेत्र में कोई अन्य सैनिक प्रशिक्षण केन्द्र भी है ?

KITCHENER COLLEGE OF MILITARY TRAINING, NOWGONG

[*887. **Shri R. S. Tewari:** (a) Will the Minister of Defence be pleased to state whether it is a fact that the Kitchener College of Military Training at Nowgong has been closed down?

(b) If so, how will the buildings be utilised?

(c) Is there any other Military Training Centre in this area?]

The Deputy Minister of Defence (Major General Himatsinhji): (a) Yes, Sir.

(b) The question of utilising these buildings is under consideration.

(c) No.

TIBBIA COLLEGE, DELHI

*888. **Maulvi Wajed Ali:** (a) Will the Minister of Health be pleased to state whether any grant from the Centre is given to the Tibbia College, Delhi?

(b) If so, is the amount granted annually or as a lump sum non-recurring?

The Minister of Health (Rajkumari Amrit Kaur): (a) No.

(b) Does not arise.

NATURALISATION OF FOREIGNERS

*889. **Shri Kishorimohan Tripathi:** (a) Will the Minister of Home Affairs be pleased to state the number of foreigners, if any, who have so far applied for acquiring citizenship in India by naturalisation?

(b) What is the number of such persons who have been naturalised up to the 15th of August 1950?

(c) Have any applications been rejected and if so, how many?

(d) To which nationalities do the persons referred to in part (b) above, belong?

The Minister Without Portfolio (Shri Rajagopalachari): (a) to (c) An Indian Citizenship Law providing *inter alia* for acquisition of Indian citizenship by naturalisation is yet to be enacted in pursuance of Article 11 of the Constitution. The answer is therefore in the negative.

(d) Does not arise.

NON-INDUSTRIAL EMPLOYEES UNION

*890. **Shri Kishorimohan Tripathi:** (a) Will the Minister of Home Affairs be pleased to state whether the non-industrial employees of the Government of India have formed into any Associations or Unions?

(b) If so, what are their names and what is the number of members under each association or union?

(c) Have any of these associations or unions been recognized by Government?

The Minister Without Portfolio (Shri Rajagopalachari): (a) Yes.

(b) and (c). A list of the associations of Government servants recognised by the Central Government giving also the information as far as available of the approximate number of members of each, is placed on the Table. [See Appendix VII, annexure No. 16.]

BROADCASTING STATIONS

*891. **Shri Balwant Sinha Mehta:** (a) Will the Minister of Information and Broadcasting be pleased to state if any new Broadcasting Stations are to be opened this year?

(b) Is there any proposal for Rajasthan also and if so, when and where?

The Minister of State for Information and Broadcasting (Shri Diwakar):

(a) No new Broadcasting Station is proposed to be opened this year.

(b) The question of Broadcasting Station in Rajasthan will be given due consideration when the present development plan of broadcasting is completed.

HYDERABAD STATE ARMY

***892. Shri Puli Ramaswamy:** (a) Will the Minister of Defence be pleased to state the total reduction in the Hyderabad State Army and how much does this save in the expenditure on the Army?

(b) Are there any persons belonging to the depressed classes who have been deprived of their jobs in the Hyderabad State Army and if so, how many and what are their ranks?

(c) Has any alternative employment been secured for these displaced army personnel?

The Deputy Minister of Defence (Major-General Himatsinhji): (a) It is not in the public interest to disclose this information.

(b) It is regretted that such statistics are not maintained.

(c) Efforts are being made to secure alternative employment for released personnel.

CURRENCY IN STATES

***893. Shri Sanjivayya:** (a) Will the Minister of Finance be pleased to state whether there is any other State in India except Hyderabad which has its own currency?

(b) If so, have the Government of India come to any decision regarding the currency in such States?

The Minister of Finance (Shri C. D. Deshmukh): (a) Yes, Sir. A few other States have local currencies in circulation.

(b) Steps are being taken to replace these gradually by Indian currency, which has been made legal tender in these States.

SUPREME COURT

***894. Shri Sanjivayya:** Will the Minister of Home Affairs be pleased to state whether there is any proposal before Government to make the Supreme Court have its sittings at least in big Cities like Calcutta, Bombay and Madras so as to afford convenience to the litigant public and if not, why not?

The Minister Without Portfolio (Shri Rajagopalachari): No. The present financial stringency and the acute shortage of accommodation in these cities would preclude Government from considering any proposal of this kind.

PENSION APPEAL TRIBUNALS

***895. Babu Ramnarayan Singh:** Will the Minister of Defence be pleased to refer to the reply given to starred question No. 522 asked on the 30th November, 1950 regarding Pension Appeal Tribunals and state:

(a) the number of appeals accepted by the Pension Appeal Tribunals; and

(b) the total expenditure incurred to pay (i) the judges of the Tribunals, (ii) the Government pleaders opposing the appeals, and (iii) travelling allowances to Record officers in defending the appellants' cases?

The Deputy Minister of Defence (Major General Himatsinhji): (a) Entitlement appeals accepted—1,750, out of a total of 18,053.

Assessment appeals accepted—875, out of a total of 13,521.

(b) (i) Rs. 7,30,527/7/4.

(ii) Rs. 1,70,375/-/-.

(iii) The required information is not readily available and will entail a reference to all Record Offices who will have to search past five years records to collect the information.

NEW TAXATIONS IN VINDHYA PRADESH

46. Shri Dwivedi: (a) Will the Minister of State be pleased to lay on the Table of the House a statement of incomes to be derived from new taxations or impositions in Vindhya Pradesh after it became a Part "C" State?

(b) Was any notice of motion given to the Members or the House regarding such imposition before placing the demands for supplementary grants (Vindhya Pradesh) for voting by the House?

The Minister Without Portfolio (Shri Rajagopalachari): (a) and (b). Income-tax was introduced in Vindhya Pradesh after it became a Part C State. The estimated income from this source for 1950-51 is Rs. 2,56,000. The tax was extended to Vindhya Pradesh by the Indian Finance Act of 1950 which was passed by Parliament.

INCOME-TAX IN RAJASTHAN

47. **Kanwar Jaswant Singh**: Will the Minister of **Finance** be pleased to state:

(a) from what year income-tax will be levied in the State of Rajasthan;

(b) when it will begin to be collected; and

(c) what will be the rate of levy?

The Minister of Finance (Shri C. D. Deshmukh): (a) As Indian Income-tax Act has been extended to Rajasthan with effect from 1st April, 1950.

income-tax will be levied for the financial year 1950-51 commencing from 1st April 1950.

(b) It will be collected after allowing a reasonable time for payment after completion of the assessment in each case.

(c) The effective rate applicable for the assessment year 1950-51 to the income accruing or arising in Rajasthan after the 31st March, 1949, is contained in the Schedule to the Part B States (Taxation Concession) Order, 1950, copies of which have already been laid on the Table of the House on the 5th December, 1950.

Wednesday, 13th December, 1950

Volume VI

No. 1 — 19



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Part. B. S. VI. L. 50.
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PARLIAMENTARY DEBATES

PARLIAMENT OF INDIA OFFICIAL REPORT

Part II—Proceedings other than Questions and Answers.

CONTENTS

President's Address to Parliament [Cols. 1—16]

Price Five Annas

THE
PARLIAMENTARY DEBATES
(Part II—Proceedings other than Questions and Answers.)
OFFICIAL REPORT

1875

PARLIAMENT OF INDIA

Wednesday, 13th December, 1950

*The House met at a Quarter to Eleven
of the Clock.*

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(See Part I)

ELECTIONS TO COMMITTEES

**CENTRAL ADVISORY COUNCIL FOR
RAILWAYS**

The Minister of Transport and Railways (Shri Gopalaswami): I beg to move:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one member to serve on the Central Advisory Council for Railways to advise on subjects dealt with in the Ministry of Railways for the unexpired portion of the current financial year 1950-51 vice Shri Gokulbhai Daulatram Bhatt, resigned."

Mr. Speaker: The question is :

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one member to serve on the Central Advisory Council for Railways to advise on subjects dealt with in the Ministry of Railways for the unexpired portion of the current financial year 1950-51 vice Shri Gokulbhai Daulatram Bhatt, resigned."

The motion was adopted.

**STANDING COMMITTEE FOR THE MINISTRY
OF DEFENCE.**

The Minister of Defence (Sardar Baldev Singh): I beg to move:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one member to serve until

249 P.S.

1876

the end of the current financial year on the Standing Committee to advise on subjects concerning the Ministry of Defence, vice Shri Jaspat Roy Kapoor, resigned."

Mr. Speaker: The question is:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one member to serve until the end of the current financial year on the Standing Committee to advise on subjects concerning the Ministry of Defence, vice Shri Jaspat Roy Kapoor, resigned."

The motion was adopted.

**STANDING COMMITTEE FOR THE MINISTRY
OF HEALTH.**

The Minister of Health (Rajkumari Amrit Kaur): I beg to move:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one Member to serve until the end of the financial year 1950-51 on the Standing Committee for the Ministry of Health vice Dr. M. V. Gangadhara Siva, resigned."

Shri Brajeshwar Prasad (Bihar): I would like to know the reason why this Member resigned from this Committee.

Rajkumari Amrit Kaur: As far as I know, he wanted to serve on another Committee.

Mr. Speaker: The question is:

"That this House do proceed to elect, in such manner as the Honourable the Speaker may direct, one Member to serve until the end of the financial year 1950-51 on the Standing Committee for the Ministry of Health vice Dr. M. V. Gangadhara Siva, resigned."

The motion was adopted.

Mr. Speaker: I have to inform hon. Members that the following dates have been fixed for receiving nominations and holding elections, if necessary in

[Mr. Speaker]

connection with the following Committees, namely:

	Date for nomination	Date for election
(1) The Central Advisory Council for Railways.	15-12-50	18-12-50
(2) The Standing Committee for the Ministry of Defence.		
(3) The Standing Committee for the Ministry of Health.		

The nominations for these Committees will be received in the Parliamentary Notice Office up to 12 Noon on the date mentioned for the purpose. The elections, which will be conducted by means of the single transferable vote, will be held in the Assistant Secretary's room (No. 21) in the Parliament House between the hours 10-30 A.M. and 1 P.M.

STATE FINANCIAL CORPORATIONS BILL

The Minister of Finance (Shri C. D. Deshmukh): I beg to move for leave to introduce a Bill to provide for the establishment of State Financial Corporations.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the establishment of State Financial Corporations."

The motion was adopted.

Shri C. D. Deshmukh: I introduce the Bill.

INDIAN NURSING COUNCIL (AMENDMENT) BILL

The Minister of Health (Rajkumari Amrit Kaur): I beg to move for leave to introduce a Bill to amend the Indian Nursing Council Act, 1947.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to amend the Indian Nursing Council Act, 1947."

The motion was adopted.

Rajkumari Amrit Kaur: I introduce the Bill.

RESERVE BANK OF INDIA (AMENDMENT) BILL

PRESENTATION OF REPORT OF SELECT COMMITTEE

Shri M. A. Ayyangar (Madras): I beg to present the Report of the Select Committee on the Bill further to amend the Reserve Bank of India Act, 1934.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

The Minister of Law (Dr. Ambedkar): I beg to move:

"That the Bill to amend the Representation of the People Act, 1950, be taken into consideration."

This Bill has two objectives. One is to provide for the representation of Part C States in the Council of States. The second is to enact the provisions made by the Representation of the People (Amendment) Ordinance, 1950. I propose, first to deal with the first objective of the Bill, namely, to provide for the representation of Part C States. Hon. Members will remember that under article 80, clause (5) this matter is left to be dealt with and determined by Parliament by law. There is no provision in the Constitution itself as to how Part C States should be represented in the Upper Chamber. As I said, the matter is left to the discretion of Parliament to deal with it by such law as Parliament may deem fit. It is because of this obligation which has been cast upon Parliament that the present Bill has been brought forth. In dealing with this particular matter, it is obvious that three questions have to be dealt with. The first is the nature of the electorate. What is to be the electorate which is to represent or elect the representatives of Part C States in the Upper Chamber at the Centre? The second is the distribution of the seats which have been assigned to Part C States by the Fourth Schedule of the Constitution. And thirdly we have to consider the method of representation, whether they should be elected, by election, by nomination or by some other method.

Now, the first question, namely the question of the electorate is dealt with in clause 9 of the Bill and it is to that clause that I propose first to draw the attention of the House. In considering this question, the question of the electorate, the House will remember that the Constitution has laid down the general principle for the composition of the Upper Chamber. That principle will be found in article 80, clause (4). That clause says, though it is confined to the representation of Part A and Part B States, that the representation to the Upper Chamber shall be by indirect election, by Members of the Legislatures in Part A and Part B States. That being so, in devising a method for securing representation to Part C States in the Upper Chamber, it is necessary and obligatory to follow that principle, namely, that the representation shall

be by the indirect method. Now, in following this method, there is one difficulty that stands up at the outset.
12 Noon.

So far as Part A and Part B States are concerned, the electorate already exists, namely, the Assemblies in the various Part A and Part B States. With regard to Part C States, there are no such Assemblies in existence and one does not know when Parliament will undertake any kind of legislation to provide a more popular method of administering Part C States. Consequently, we must proceed upon the hypothesis that no legislative bodies exist in Part C States, nor are they likely to come into being by the time the elections take place. The question, therefore, is what should be the nature of the electorate. Obviously, the only other method that comes to one's mind is to resort to the existing local bodies in all Part C States, such as municipal committees, town committees, village *panchayats* and so on and so forth, and to permit members of these local bodies to be registered as voters. It was, however, found that probably this method of election may not provide a sufficiently large constituency. We have no idea as to how many municipal committees, town committees and village *panchayats* may be existing in various Part C States. It may be that in some Part C States there may be a plethora of them, and it may be that in some other Part C States there may be a great paucity of them. Consequently, in order to create a solid electorate, it is felt that in addition to the membership of these local bodies, it would be desirable if the franchise was extended to persons who have undergone some university examination. Therefore, in addition to membership to the local bodies, it is proposed, in this Bill that matriculates or persons holding other equivalent qualifications may also be permitted to be registered as voters, provided they have the necessary qualification on the qualifying date, and have put in the necessary period of residence during the qualifying period. That is the general provision contained in clause 9 which seeks to introduce after section 25 of the original Act, new sections 25A, 25B, 25C and 25D. This is the nature of the electorate that this Bill proposes to bring into existence for the purpose of electing representatives to Part C States in the Upper Chamber.

I will take up the other two questions which I said, necessarily require consideration. The second question is nomination *versus* election. This matter is dealt with in clause 4 of the Bill. In this connection, it is felt that so far as the two States of Manipur and

Tripura are concerned, election will not be possible, for the simple reason that so far as these two States are concerned, there are hardly any local authorities existing there. Therefore, the basis of the general proposal which is introduced by clause 3 does not exist at all so far as these two States are concerned. Tripura is really a tribal area. Manipur is a very backward area. There are hardly any of these local bodies and organisations. The educational status of these two States is also very backward. Consequently, it is not hoped that even if the educational qualification was introduced, it would be possible to obtain a sufficiently large electorate to permit of elections being introduced in the representation of these two States. Consequently it is felt that the only course left is to secure the representation of these two States by nomination by the President and it is proposed that their nomination should alternate at the end of a two year period—once a representative of Manipur would be nominated by the President for the first two years and in the second two year period a representative of Tripura would be nominated. In the rest of Part C States the representation would be by election.

A further question, as I said, arises, namely the distribution of the seats. The House will remember or it can see by reference to Schedule IV that that Schedule in three cases has given one seat to two States. Those three cases are Manipur and Tripura, Himachal Pradesh and Bilaspur, which together have one seat and Ajmer and Coorg have together one seat.

There are two methods for regulating the representation of these States which have one seat jointly between them. One is to treat them as one constituency and the other is to treat them as two different constituencies and give them alternate representation. The case of Manipur and Tripura has already been disposed of, because the question of election does not arise there. That is a case which is governed by nomination. With regard to Ajmer and Coorg it is proposed that they should be represented by election separately in rotation—once the seat should be filled by election in Ajmer and the second time it should be filled by representation from Coorg. With regard to Himachal Pradesh and Bilaspur it is proposed that the two States should be treated as one constituency and they should in a joint election elect one representative.

The House will no doubt say that we have given one treatment to Ajmer and Coorg and a different treatment to Himachal Pradesh and Bilaspur. The

[Dr. Ambedkar]

argument is apparently correct. But I do not see how it is possible to treat these two series of States on a common footing. It will be realised that Ajmer and Coorg are not territorially contiguous. It will also be realised that their cultural outlook, their mode and manner of life, their economic problems are altogether different and distinct. It can hardly be said that a representative of Ajmer could very well represent the problems and difficulties of the people of Coorg or vice versa. But with regard to Himachal Pradesh and Bilaspur the two are contiguous: in fact it is only by some accident, which I am unable for the moment to understand or to explain, that the States Ministry decided to keep the two in two distinct watertight compartments. I should have thought that the two could have been amalgamated into one. I have no doubt that that will happen: perhaps it may happen long before the election takes place. Therefore I do not see any justification why the principle of divisive constituency, which has been adopted in the case of Ajmer and Coorg for the circumstances which I have mentioned, must necessarily logically and as a matter of categorical imperative apply to Himachal Pradesh and Bilaspur.

Therefore what is proposed is that Manipur and Tripura would have separate electorates but their representation would be regulated by nomination by the President for a period of two years in rotation. With regard to Himachal Pradesh and Bilaspur they would form one constituency and in a joint election elect one representative. With regard to Ajmer and Coorg the provision is that for a period of two years Ajmer will enjoy the seat reserved for two and subsequently Coorg will enjoy the seat which is reserved for both.

Those are the provisions which we have made in the Bill with regard to the representation of Part C States. As I said at the outset, this Bill had a double objective. One was to make provision for the representation of Part C States in the Upper Chamber. The second objective was to give the effect of law to the provisions contained in the Ordinance.

I will briefly explain to the House why it became necessary for Government to issue this Ordinance. As the House will remember, at one time Government felt that elections could be held in the months of April and May, and they were very keen about

it and wanted to do everything possible to give effect to that intention. On the examination of the circumstances, as I then said, it was found that in certain areas electoral rolls were not ready and in certain areas constituencies had not been delimited. If we had allowed the original provisions contained in the People's Representation Act 1950 what would have been the position? The position would have been this. Under the Original Act the Election Commissioner is bound to publish preliminary electoral rolls—I am using the words "preliminary electoral rolls" constituency-wise. That was the first step in the process of election. After that was done two or three processes had to be undergone. One was the inviting of claims and objections, the second was to have the claims and representations dealt with by some authority judicial or otherwise and to have them disposed of: and thirdly, to enter all the corrections consequent upon the decision of the revising authority into the electoral rolls and then to publish them finally.

Speaking for the moment and taking into consideration the time that would have been necessary to go through these processes, the position would have been this. After the constituencies were delimited, certainly three weeks or one month ought to be given to the electors to make their claims and objections. You could not fairly give less than that time. Thereafter, at least two months would be necessary for the revising authority, I am giving a very conservative estimate, two months would be necessary for the revising authority to dispose of claims and objections. That means three months. Add one more month for revising the electoral rolls in the light of the decision of the revising authority. That means four months. Assuming that the preliminary electoral rolls were prepared by the end of this month, which I don't think is a very sanguine hope—but supposing that was so—it is quite obvious that following the principles embodied in the original People's Representation Act, the final electoral rolls could not have been published even by the end of April or May. That meant that if we had followed literally the provisions contained in the original Act, the elections could not have taken place in the month of April and May. As Government were very keen in having the elections in April and May, Government felt that that would have been possible only if the process was reversed. If claims and objections were invited on the basis of electoral rolls prepared for units or for areas, and they were disposed of, and after they

were disposed of electoral rolls on the basis of constituencies were made, perhaps the time that would be utilised after the constituency-wise electoral rolls were prepared could be used in the beginning so that the process of claims and objections and revisions could be got rid of and possibly the elections could have taken place in the month of April and May. It was from this point of view that Government felt that the process might be reversed, that is to say, claims and objections might be invited on the basis of preliminary electoral rolls not prepared on the basis of constituencies but on the basis of area.

That is what the Ordinance did. Now, it might be asked that since the date of the election has been postponed, is it desirable to give effect to the Ordinance? The answer to that is simple: a large part of the work which is required to be done by the Election Commissioner in the matter of the preparation of the rolls has already been done, and if the Ordinance does not become law all that work will have to be thrown overboard and the Election Commissioner would have to begin his work *de novo*. (*An Hon. Member*: Reverse gear). Reverse gear, as my friend says. I don't think the House will desire that such a thing should happen. I am not merely considering the question of time but also the question of money which Government has spent over the work that has already been done. We have taken care in the Bill that the provisions of the Ordinance would apply only for the first elections so that in the subsequent elections the provisions of the principal Act will govern the conduct of elections and the preparation of the electoral rolls. That is why we are seeking the permission of the House to give effect to this Ordinance.

The other provisions in the Bill are purely consequential—changing of qualifying date and qualifying period, and so on and so on. I don't think I need detain the House over them. The House will be able to see for itself what those amendments are.

Mr. Speaker: Motion moved:

"That the Bill to amend the Representation of the People Act, 1950, be taken into consideration."

The hon. Member, Mr. Kamath, has tabled an amendment. Does he wish to move it?

Shri Kamath (Madhya Pradesh): Yes, Sir.

Mr. Speaker: Then he may just move it.

Shri Kamath: I beg to move:

"That the Bill be referred to a Select Committee consisting of Shri M. Ananthasayanam Ayyangar, the hon. Dr. B. R. Ambedkar, Dr. Syama Prasad Mookerjee, Pandit Mukut Bihari Lal Bhargava, Shrimati G. Durgabai, Syed Nausherah, Shri Deshbandhu Gupta, Sardar Hukam Singh, Shri Mahavir Tyagi, Shrimati Dakshayani Velayudhan, Prof. K. T. Shah, Shri Jaspat Roy Kapoor, Shri P. Y. Deshpande, Pandit Thakur Das Bhargava, Captain Awadesh Pratap Singh, Shri Jaipal Singh, Shri Sarangdhar Das, Shri Arun Chandra Guha, Shri Chandrika Ram, Dr. M. Channa Reddy, Shri R. K. Sidhva, Shri Sitaram Jajoo, Shri Raj Bahadur, Dr. Y. S. Parmar, and the Mover, with instructions to report by the 15th December, 1950."

Mr. Speaker: Amendment moved:

"That the Bill be referred to a Select Committee consisting of Shri M. Ananthasayanam Ayyangar, the hon. Dr. B. R. Ambedkar, Dr. Syama Prasad Mookerjee, Pandit Mukut Bihari Lal Bhargava, Shrimati G. Durgabai, Syed Nausherah, Shri Deshbandhu Gupta, Sardar Hukam Singh, Shri Mahavir Tyagi, Shrimati Dakshayani Velayudhan, Prof. K. T. Shah, Shri Jaspat Roy Kapoor, Shri P. Y. Deshpande, Pandit Thakur Das Bhargava, Captain Awadesh Pratap Singh, Shri Jaipal Singh, Shri Sarangdhar Das, Shri Arun Chandra Guha, Shri Chandrika Ram, Dr. M. Channa Reddy, Shri R. K. Sidhva, Shri Sitaram Jajoo, Shri Raj Bahadur, Dr. Y. S. Parmar, and the Mover, with instructions to report by the 15th December, 1950."

Pandit M. B. Bhargava (Ajmer): Sir,

.....

Pandit Balkrishna Sharma (Uttar Pradesh): May I on a point of information and, if you please, on a point of order also, raise one point? It is whether, as this Bill provides for the representation of Part C States, it will be in order for any Member in the House to ventilate the grievances of Part C States and to bring to the notice of the House the various inconveniences that they are suffering from due to the rule of an unrepresentative character from the Centre.

Mr. Speaker: In so far as this has to be treated as a point of order, the question is problematical at this stage, but I may invite the attention of hon. Members to one distinction. This Bill

[Mr. Speaker]

seeks to provide for the proper representation of Part C States, and the subject for discussion that will be relevant will be the manner and the method of elections. The question of administration appears to be clearly—to my mind—irrelevant for the present discussion. We are not concerned now with the administration of those parts. We are concerned only to see as to how best we can have the popular representatives from those parts. Otherwise, we shall be going off the mark and outside the scope, because *ex hypothesi* it is agreed that there shall be representation of Part C States except perhaps in the case of Manipur and Tripura where nomination is proposed. But there too the discussion will not be as regards the character of the administration. The relevant discussion would be as to how it is possible to evolve a system of electorates, contesting the point of view urged by the hon. the Law Minister that the state of things there is of a type which makes it impossible to make satisfactory arrangements for representation. That point of view is open to contest, but I do not think that the administration of Part C States will be open for discussion.

Shri Syamnandan Sahaya (Bihar): What I want to submit is that the question may arise in this way, that after all not only have these States not been provided with elected legislatures but the apprehension is that perhaps even when we are going to have the election in November next year this will not be feasible. In that view of the matter, the present Bill should provide a forum for discussing the matter of having a popularly elected legislature in these States.

Mr. Speaker: It would be out of place. We are concerned with the devising of a proper machinery for election.

Shri Barman (West Bengal): In view of the fact that by clause 8 of the Bill we are going to replace the Ordinance by this Act and we are going to add Section 22A to the Peoples' Representation Act, which means that we are going to amend the present Act itself,—in view of that fact, is it not permissible for an opportunity to be given to go into the administration of the present Act up till now?

Mr. Speaker: That covers a different point altogether. But the chief objective is not the administration of Part A, B or C States. It is only the system of election that we are concerned with. If the administration of the Peoples' Representation Act has got an elements which do not satisfy

hon. Members, it may be possible to refer to them but only to a very limited extent in so far as they are related to the proposed amendments. It will not be possible to cover the entire theme of the Peoples' Representation Act. Otherwise, I do not know where to draw the line of demarcation and the House will have to discuss this Bill for months and days together and cover the entire administration of the Indian Union. Some limitation has to be placed and our attention should be limited only to suggesting the best means of having an election machinery.

Pandit Balkrishna Sharma: Even as you have suggested, if our attention is confined only to Part C States, if I raise the question of having a government in those States of a representative character, will that be out of point?

Mr. Speaker: As I said, the question is problematical at this stage. I merely wanted to clarify the position so that I may not have to intervene during the course of the debate and say which particular remarks are relevant and which others are irrelevant. I am repeating what I said, namely, that it is conceded that there should be election even in Part C States. I do not see, then, how it will be possible to bring any of those grievances in, just for the purpose of establishing what is already conceded by Government. No person is called upon to prove a case that is admitted by his opponent.

Pandit Balkrishna Sharma: But it is confined to Upper House representation only.

Mr. Speaker: That would be a wider question. As regards the representation in the House of the People, it is a matter which is already provided for by the Peoples' Representation Act. How can that question be re-opened here?

Pandit Balkrishna Sharma: Having a sort of a local legislature.

Mr. Speaker: Those are considerations which I do not think strictly come within the limits of this Bill.

Shri Barman: Supposing that it can be shown that the Act has not been properly administered and vital rights of the people have been affected, will it not be permissible to refer to that, because this is the only opportunity?

Mr. Speaker: I may point out to the hon. Members the difficulty of the whole thing. It may perhaps be permissible to a very limited extent to mention something which might

throw some light on the provisions in the present Bill, but if I were to permit a general discussion of the administration, I do not know where to end and where to start. We are at present concerned with an amending Bill. If any amendment to any other section of the Peoples' Representation Act is not permissible as going beyond the scope of the present amending Bill, it follows *ex-hypothesi* that no discussion also will be possible. Then there is another difficulty. An hon. Member makes a remark in passing and that is caught up by other hon. Members and along that argument starts a series of replies and counter-replies. The best course is not to look upon this Bill as an opportunity to criticise the Representation of People Act or even to criticise the administration in Part A, B or C States but to focus attention only on the question of having the best election machinery. Unless we do that, I think we shall have to discuss this Bill—I do not know for how long—and the discussion will be desultory and practically to no purpose.

Shri Barman: In that case, there would be no opportunity.....

Mr. Speaker: We are not here for giving opportunities of discussing the working of the Representation of the People Act. That is not the purpose of the present discussion.

Shri Dwivedi (Vindhya Pradesh): I want to inform the House about one important thing which has been left out in connection with Part C States. It is that Part C States have not been allowed to have any legislature, and now the elections for the Council of States are going to take place by an electorate which has been created simply from among such persons through whom we shall not be able to get any representation.

Mr. Speaker: Whatever it may be, the point should have been taken when the Representation of the People Bill was before the House. This is an amending Bill restricted only to a certain purpose. We cannot throw open the whole discussion again. I do not propose to hear any more arguments.

Pandit M. B. Bhargava: I am very sorry that my hon. friend Pandit Balkrishna Sharma raised this point at a very premature stage, but the question of the relevancy of the discussion on this particular motion has to be considered in the background of the Government of India's policy towards Part C States and the Speaker should have, before giving his ruling, at least afforded a chance to the representatives of Part C States to have their say on this particular matter.

Very recently we had a debate on the question of the imposition of export duty on jute and the debate took about two or three days and we knew what was the scope of the relevancy of that debate. We knew that not a single Member of this House had the slightest objection to the imposition of the export duty either in principle or as to its quantum. But the entire policy of the Government of India in regard to de-control of raw jute and manufactured jute goods as also State trading and so many other incidental and supplemental questions were argued and the hon. the Speaker found that it was, of course, relevant. So far as this particular motion is concerned, it will be most unjust if this House considers this isolated question of the representation of Part C States in the Upper Chamber of the Central Legislature dissected from the policy which Government are pursuing in respect of Part C States. Part C States have a definite position assigned to them under the present Constitution and any step that is taken by the Government of India in respect of Part C States has to be judged on its own merits. But my grievance is that Part C States have been, and are being, treated by the Government of India in a very very unjust manner.

Part C States in the previous terminology of the Government of India, were known as the Chief Commissioners' Provinces. Now, how did these provinces come into existence. I would not weary the House by entering into the details of it. But the question naturally arises as to what is the policy even today of the Government of India in respect of these Part C States—whether they are to remain in their present shape and form and if so whether it is just in keeping with the tune of the democratic constitution of the Republic of India? That is the relevant question. When you are creating an electorate and a constituency for the representation of the people of the States in the Upper Chamber of the Central Legislature, the Council of States, is it not relevant, I respectfully ask to enter into the question why this particular sort of constituency, this particular special electorate, which does not exist in any part of the country should be allowed to be created in Part C States. The answer to this query itself would make it obvious as to the treatment we are having at the hands of the Government of India.

The Chief Commissioners' Provinces, as they were before the new Constitution came into force, were three in number. They were Ajmer, Delhi and Coorg. So far as Delhi is concerned, its only sin was that it was

[Pandit M. B. Bhargava, made the capital of the Government of India in 1911. Before that it was a part of the province of Punjab. It was separated from that province and created into a minor administration of the Government of India, because the capital was shifted from Calcutta to Delhi in 1912. So far as my State, the State of Ajmer is concerned, it did also form a part of the then North West Province of Agra and Oudh, now known as Uttar Pradesh and was under the administration of the Governor of Uttar Pradesh up to 1871, when the Government of India to suit its own exigencies—rather the British Government which was desirous of keeping its grip upon the surrounding Rajputana State—separated the State of Ajmer and created a new minor administration which remained under the Political Department of the Government of India up to the year 1942. Up to that time it was the Agent to the Governor-General, or the Resident of Rajputana, who was designated *ex officio* Chief Commissioner. In 1942 the only reform my unfortunate province got was that it was transferred from the Political Department to the Home Department of the Government of India.

In all this history of wide constitutional developments Ajmer was left out. In the Minto-Morley Reforms of 1909 Ajmer did not get anything; in the Montagu-Chelmsford Reforms of 1919 as well as in the Government of India Act of 1935 Ajmer was neglected. All that we got was a seat in the Central Legislature and since then right up to 1946 the administration remained under the Chief Commissioner who was more or less occupying a position again to that of a Nawab or a Maharaja in the adjoining Rajputana State. Absolutely no representative institutions, not even an iota of responsible Government was conceded with the result that right up to 1946, it continued to be a conclave of autocratic and bureaucratic regime. In 1946 when for the first time our national leaders formed an Interim Government, what are known as advisory councils were formed in 1946. They began to function from April 1947.

Of course the British Government had reasons to keep this area groaning under the crushing weight of autocracy to suit their own exigencies. But we expected better and more democratic treatment at the hands of our Government. But to our surprise we found that when the Constituent Assembly sat and drew up a Constitution on most democratic lines applicable to the whole of the country, unfortunately, these enclaves of autocratic and bureaucratic regime were

left untouched. We the representatives of these unfortunate areas, tried our best to make our voice heard and the Constituent Assembly appointed a committee consisting of seven distinguished members of the Assembly, including two of the Ministers, Shri Gopalaswamy Ayyangar and Shri Santhanam, on the 30th July 1947. This Committee, presided over by our illustrious revered Dr. Pattabhi Sitaramayya, went into the question of the Chief Commissioners' provinces and came to certain conclusions. Those conclusions were embodied in the form of a report which was submitted to the Constituent Assembly of India on the 21st October 1947. It would be interesting to know what became of this report.

The main recommendation of this Committee was that these areas which have been most unsatisfactorily governed in an autocratic fashion should not be allowed to continue any further. They devised a machinery appropriate to these areas. Originally the Chief Commissioners' provinces which were intended to be included in Part C States were only three in number. Himachal Pradesh, Bilaspur, Tripura, Manipur, Vindhya Pradesh, Kutch and Bhopal have now been included in Part C States subsequently. The Committee of the Constituent Assembly had recommended that the Centre should be responsible for the good government, financial solvency and welfare of these areas and must have an elected legislature and responsible ministry. The only limitation they placed was that they must be subject to the control and supervision of the President at the Centre.

[MR. DEPUTY-SPEAKER in the Chair]

When this Report came for discussion before the Constituent Assembly of India our Prime Minister said that it is difficult to evolve a common administrative formula to apply to all these areas—not only the three areas but a number of areas which were expected to be included in the category of Part C States—owing to the fluid conditions then existing. Therefore he pressed that it would be in the best interests as also to save time—because a uniform standard of administration could not be evolved for each of these areas—not to cumber the Constitution with the administrative machinery devised for each of these areas so varied in character. Consequently, for this reason and also for the reason that Parliament will have ample opportunity to go into the question, it was urged by the hon. the Prime Minister that this matter should not be pressed at that stage. But it was absolutely made clear on

the floor of the House, as also outside the House, that the process of democratisation of administration in these areas was not to be held back. Parliament was entrusted with the task and the responsibility of devising a suitable democratic Constitution for these areas.

The learned author of this Bill was also the learned author of the Constitution and of articles 239 to 242 of the Constitution. You will be pleased to find that in article 239 of the Constitution the phraseology of the Government of India Act, 1935, was adhered to. That is, these States were to be administered by the President acting, to the extent he thinks fit, through a Chief Commissioner or a Lieutenant-Governor to be appointed by him. But in article 240 of the Constitution it was provided that Parliament may by law create or continue a body nominated or elected, or partly nominated and partly elected, to function as a Legislature, or a Council of Advisers or Ministers, or both. And the constitution, function and powers of this body were to be specified by Parliament by law. This is the provision that finds place in article 240 of the Constitution. This Constitution has been enforced since 26th January, 1950. The light of liberty, freedom and enlightenment that was kindled by this Constitution is illuminating each and every corner of the country, except these small areas scattered here and there wide apart from one another. It was made clear by the hon. the Prime Minister that it would be the duty and responsibility of Parliament not to defer this question for all times to come but to make suitable and appropriate legislation giving adequate representative form of government to these areas also. It is almost a year now. We are expecting every day that some appropriate legislation under article 240 of the Constitution will be placed by the Government of India before this House so that these areas may have some form of self-government or responsible government. But instead of that what do we find in this Bill? This Bill clearly indicates that the Government of India has no present intention at all whatsoever of giving any sort of democratic constitution to any of these areas but it wants to perpetuate the same existing archaic and reactionary conditions prevailing in these areas. Have not our leaders taught us long before that good government is no substitute for self-government? Assuming for the sake of argument that the tone of administration in these areas, being directly under the Centre, is of a better type, is it just to deny the legitimate as-

piration of the people of these areas—and is this august body not committed to fulfil that legitimate demand, that natural aspiration of the people—for having the same form of self-government as their brethren enjoy in the Part A and Part B States? Will it not be absolutely out of tune, may I not ask in all humility—when the new elections are coming off in every part of the country, when every Province, when every State, in the Republic of India will have a Legislature elected and formed on adult franchise—may I not in all humility ask is it unlawful for these people to insist that at the time of elections all through the country, simultaneously, there must be elected Legislatures in these areas also? That is why article 240 of the Constitution was framed in that particular language. Is it not then the duty, and the bounden duty, of the Government of India to take up this question and not to defer it any longer? The hon. the Law Minister's introductory remarks in respect of this amending Bill clearly show that the Government of India have no intention whatsoever of taking any step in this direction.

My respectful submission therefore is that I am not in a position to determine my attitude as to whether I should support or oppose this Bill. To us, the representatives of Part C States, representation in the Council of States or in the Lower House means little if we are not able to associate our chosen representatives with the administration in those particular areas. With regard to the Advisory Councils that saw the light of day on and from the 1st of April, 1947, to which I referred a few minutes back, what is our experience? What was the intention of the Government of India in creating these Advisory Councils? It was stated in the form of a letter of instructions from the Government of India to the Chief Commissioner that purposely the Government of India does not want to reduce in black and white the constitution of the Advisory Council. It left to the Advisory Council and the Chief Commissioner to evolve healthy, democratic conventions by experience, error and actual working. But what is the result? The result is that our sad experience has led us to the conclusion that these Advisory Councils which were intended to be real representative bodies which were intended to effect a change in the tone of the autocratic administration of the Chief Commissioner, and which were intended to be listened to and their advice acted upon—our experience is just in the opposite direction—that their advice is seldom taken, not in respect of day to day administration but in respect of the administrative policy.

[Pandit M. B. Bhargava]

The representatives' advice are not sought even on trivial questions, let alone the question of control, rationing and procurement etc.

Mr. Deputy-Speaker: Order, order. The hon. Member has already stated that except as a casual reference to the want of Parliamentary form of Government in the State, no other details ought to be gone into. I think enough has been said by the hon. Member in going into the details of the work of the Advisory Council. It does not appear to me to be quite relevant. At this rate the whole time that is devoted for this Bill can be converted into a discussion on the want of Parliamentary Government, which has now been given under the Constitution or the acts of commission or omission of Government with respect to part C States. It is not a general discussion of what Government ought to do with respect to these States. If the hon. Member has got anything to say regarding the manner in which representation is sought in the Part C States, that is another matter.

Pandit M. B. Bhargava: I respectfully bow to your ruling. I was not going into the details of the administration at all. My view-point was that these bodies that were created have almost ceased to function because of the fact that the Chief Commissioner does not attach due weight to their advice and the representatives of the people have felt that there is absolutely no use in their being associated with the Administration any further. This is all that I had to say casually in respect to this matter. Now the question is why the Government of India by means of this amending Bill want to create an anomaly in our Constitution. Representatives to the Council of States are to be elected by the elected representatives of the Legislatures existing in Part A and B States. Both the Legislatures will be formed on adult franchise, there is absolutely no doubt. But why should not Government take the direct method of presenting before this House a Bill giving birth to Legislatures in all these Part C States in order that those legislatures could have formed an electorate for electing the representatives from these parts to the Council of States? That course would have discharged the obligation of Government, as laid down by article 240 of the Constitution and that would have further brought the representation to the Council of States from these areas on the same level and exactly on the same basis as representation from Part A and B States. That method

would have been a direct approach to this problem; that method would have been in keeping with the democratic structure of the Constitution of India. The method sought to be introduced for giving representation to Part C States in this Bill is absolutely archaic, absolutely reactionary, absolutely not in keeping with the tune of a democratic India. In fact, the people of these Provinces feel disgusted how an electorate of this character is proposed to be created. What is the provision in this Bill and who will be the electors? It was considered by the hon. the Law Minister that the sole justification for introducing this sort of special electorate is that there are no legislatures in these Part C States. What is the difficulty standing in the path of Government to create legislatures on adult franchise in these areas? Cannot the functions and powers of such legislatures be devised by the appropriate legislation of this Parliament. After all the Government of India have time enough to devote to so many Acts and Bills. How could it be said that for such a small piece of legislation, the Government of India have no time to devote? That only shows the apathy and indifference towards Part C States. My submission, therefore, is that this is absolutely an attitude of the Government of India against which I strongly protest and my submission is that this Bill which creates a constituency and especially an electorate, as I would later on point out, of a very, very undemocratic nature, is a retrograde step, rather than a progressive step.

Mr. Deputy-Speaker: I am afraid the hon. Member is going on stating what he has already stated. Though there is no time limit so far as these Bills are concerned, we must have to address ourselves to the other work pending before the House. At the same time it is not my intention to shut out proper discussion. The one point that he was emphasizing was that they must introduce Parliamentary form of Government. Is there any alternative. Assuming there is, what next?

The House then adjourned for Lunch till Half Past Two of the Clock.

The House re-assembled after Lunch at Half Past Two of the Clock.

[MR. SPEAKER in the Chair.]

Pandit M. B. Bhargava: At the time when the House rose for Lunch, I was pointing out that if Government had intended to create legislatures here, it could have done. But, however, what are the provisions of the amending Bill? My respectful submission is

that the provisions are very unsatisfactory, full of complications and are bound to create difficulties.

Now, what is the representation being given in respect of the group of States, Manipur and Tripura? It is intended that there should be alternative representation by rotation for a period of two years by each of the States and that representative is to be nominated by the President. It is not specified here as to what will be the body or group of persons from which the President will make the nomination, or what will be the qualifications of a person who will be entitled to be nominated by the President. You will be pleased to find, Sir, that in article 80 of the Constitution where the President is given the right to nominate twelve members to the Council of States, it is provided in clause (2) as to what will be the qualifications and what will be the nature of the body of persons from whom the President will be entitled to make nomination. This Bill does not make any provision in that respect. It is supremely vague and indefinite.

Then, when these States have got no local legislatures to ventilate their local grievances, and where for these States, the Central legislature is the only forum for the ventilation of their grievances, does it stand to reason that for some time any of these areas, however tiny or small they may be, should remain unrepresented in any of the Houses of the Central legislature? That is obviously unjust. For two years, according to the proposal embodied in the amending Bill, either the State of Manipur or the State of Tripura will remain unrepresented. There will be no one on behalf of these States during the period the other State is represented to ventilate the grievances of the State. This provision is obviously unjust.

Similarly, in the case of Coorg and Ajmer, by clause D of the proposed clause 6, what is stated is that for the first two years, the State of Ajmer will be represented and thereafter for two years, it will be the State of Coorg that will be represented. That is to say, for two years, there will be no representation on behalf of Ajmer, or in the alternative on behalf of the State of Coorg to ventilate the grievances of the State of Ajmer or Coorg. Keeping in view that these States will have no local legislatures, I respectfully submit that this is obviously unjust and oppressive.

It may be stated that in Schedule IV of the Constitution it is only a

group of States that are given representation, and consequently, the hon. Law Minister may plead his helplessness in the matter. That is not so. Obviously, it cannot be assumed that the Constitution makers had in their minds that this article 240 of the Constitution will be mere dead letter. They must be presumed to have kept in their minds that there will be local legislatures existing in these States, and therefore at that time it was not thought material. Secondly, what could have been intended by the Constitution makers was only this that these two States must combine into a joint electorate to send their representative so that for the whole period of the term, both the constituencies may be represented by a single representative. Now, what is the reason assigned here? So far as the State of Ajmer is concerned, it has a population of 7,30,000, and the population of Coorg is about 1,50,000. Is it not obviously unjust to the people of Ajmer that though their number is more than four times the number of the State of Coorg, yet they will have no representation whatever for the second term, and thereafter in the alternative for two terms? My submission is that this is obviously unjust, and that there must be some relief given to the State in this respect. It is not that there is no remedy open. If Government so choose, it can amend Schedule IV of the Constitution, and in the particular circumstances of this case, give additional representation, separate representation to either of these States. We find that under article 80 of the Constitution which makes provision for the Council of States, the number of elected Members to the Council of States is 238, while according to the representation given, the number will be only 204. Therefore, there is still room for accommodating additional number of Members. Looking to the peculiar circumstances in this case, it will be obviously just that the number of representatives from the States in the Council of States should be so modified as to give separate representation for all time to every one of these States. This is the solution. If Government wish to help them, they can certainly do it by amending Schedule IV and I do not think that there will be want of the requisite majority for effecting the amendment. This is the only way in which the injustice to the States could be made good.

The second point is this. What is the special electorate that is sought to be created by this amending Bill? My respectful submission is that the provision that has been made is very,

[Pandit M. B. Bhargava]

very vague and indefinite and in working, it is bound to create complications. As for example, it is provided in the proposed sections 25A to D that all the members of the local bodies like district boards, municipalities, notified area committees, and village panchayats, will be entitled to be enrolled as electors. It provides that the persons entitled to be enrolled as electors must be members of these bodies on the qualifying date. What is the qualifying date? It is 1st March 1950. That is to say, according to this provision, only such persons who happened to be members of the local bodies and municipalities on 1st March 1950 are entitled to be registered as electors. The hon. the Law Minister was frank enough to admit in his introductory remarks that he is totally ignorant of the local conditions prevailing in these areas; and I feel that if the real state of affairs had been before Government, a provision of this nature would not have found place at all in this Bill. Now, what are the conditions prevailing in Ajmer? And as far as my knowledge goes, the conditions in other Part C areas is even worse than what exists today in Ajmer. Here in Ajmer, the life of the local bodies like the municipalities and district boards has been extended from time to time in the hope that as soon as the new electoral rolls of Parliament have been finalised, that electoral roll will be regarded as the electoral roll for the municipalities and district boards in their respective areas. And after the electoral rolls for Parliament had been finalised the local bodies will then be constituted on the basis of those electoral rolls on adult franchise. Parliament, only a few days back, passed an amending Bill to the existing Ajmer-Merwara Municipal Regulation of 1925 and the Local Board Regulation, by which it has made provision that the electoral rolls prepared for Parliament will be the valid electoral rolls for holding elections to the municipalities and district boards there. Now that is when the general elections were intended to be held in March-April, and they have now been postponed till November 1951. And what will be the position now? These local bodies, as has been stated to be the intention of Government, will soon be formed in Ajmer on the basis of adult franchise. Now, according to the provisions of this amending Bill, all these members of the various municipalities and district boards who will now be elected on the basis of adult franchise, will not be entitled to be registered as electors for returning their nominees to the Council of States. It will

be only the sitting members, those who are there sitting, on the 1st of March, 1950, they alone will be entitled to be enrolled and registered as electors. I respectfully submit that in Part A and Part B States, there will be the members of the Provincial legislatures elected on the basis of adult franchise who will form the electorate for electing the members of the Central Council of States. But in Part C States where the local bodies are due to be constituted on the basis of adult franchise, where you have got no local legislatures and where you do not want to create local legislatures, there the local bodies like the municipalities and district boards which are being constituted—and it is in the hands of Government to expedite this process of constituting these local bodies if Government of India wishes to do so—there the position is different. In my State of Ajmer the electoral roll for Parliament is bound to be finalised by the end of January, and there will be no hitch in holding the elections on the basis of adult franchise for all these local bodies in the months of February and March. And this election will be on the basis of adult franchise. And not to confer on the members so elected the right to vote at the election of their representatives in the Council of States will be a mockery. My submission is that the hon. Law Minister should consider this position and I beg of him that at least this anomaly should not be allowed to be perpetuated. The elections to the Council of States will come in 1952 and these local bodies will be constituted very presently. And as far as I am aware, the conditions in Delhi are no better. Here also the municipalities were elected years before—about four or five years back. Notwithstanding repeated demands from the public, elections to these bodies had been deferred for one reason or other, but mainly on the constitutional ground, that to hold elections on property and educational qualifications in these days would be nothing short of a mockery and that the elections should be held on the basis of adult franchise, and this cannot be done until the electoral rolls for Parliament are prepared and finalised. Therefore, the least that the hon. the Law Minister can do now is to so modify the provisions of this amending Bill that those members who will now be elected on the basis of adult franchise to the local bodies and district boards, they alone should be entitled to be enrolled and registered as voters for choosing representatives to the Council of States.

Pandit Thakur Das Bhargava (Punjab): The hon. Member himself has said that the elections to the local bodies will be held in February 1951, and the qualifying date is the 1st March. Therefore, these members so elected will become by virtue of that election, the electors for the Council of States, and the purpose of my hon. friend will be effected. I have not been able to understand the difficulty of my hon. friend. The elections to these local bodies will be over by February. And where is the difficulty?

Mr. Speaker: As I have understood him, he says that the election to the Council of States will be in February, 1952.

Pandit Thakur Das Bhargava: The elections to these local bodies according to my hon. friend, will take place in February, 1951 whereas the elections to the Council of States will be in 1952. According to this Bill, these persons elected in February, 1951 will be members of the electoral college who will elect the members for the Council of States.

Pandit M. B. Bhargava: Probably I have not been able to express myself clearly, or rather my hon. friend has not been able to follow what I said. This amending Bill says that only those persons who are members of these bodies on the qualifying date, they alone will be entitled to be enrolled as electors, and the qualifying date is the 1st of March, 1950 and not 1st March, 1951.

Shri Sidhva (Madhya Pradesh): No, it is the 1st of March, 1951.

Pandit M. B. Bhargava: It is the 1st of March, 1950 and therefore, according to the provisions of this Bill, only those persons who are members of the municipalities and district boards on the 1st March, 1950, can be registered as voters.

Shri Sidhva: I understand that the qualifying date is the 1st of March, 1951.

Mr. Speaker: Will it be March, 1951? It may be made clear by the hon. Minister of Law.

Dr. Ambedkar: Yes, Sir, I will make it clear, let the hon. Member go on.

Pandit M. B. Bhargava: Such an anomaly is inconceivable. These members who are elected to these local bodies on adult franchise, they are now being disenfranchised by this amending Bill, and those who are now members on the 1st March, 1950, they will be entitled to be voters for the Council of States.

Then there is this second point and that also is a very important one. according to this amending Bill, the members of the village panchayats will also be entitled to be enrolled as electors, and to be registered as electors for this constituency. May I ask the hon. Law Minister to explain what is meant by members of the village panchayat? With conditions in Ajmer I am well aware, though I am not well aware of conditions in other places. There there are village panchayats existing in every village and.....

Shri J. R. Kapoor (Uttar Pradesh): May I invite the attention of my hon. friend to amendment No. 42 in the Revised Consolidated List of amendments where the hon. Law Minister has proposed a change which will meet the point which he has been elaborating so extensively now? This proposed amendment states that:

"For the purposes of this Part, the qualifying date and the qualifying period in the case of every electoral roll for a Council of States constituency shall be the 1st day of March of the year in which the roll is prepared and the year immediately preceding that year, respectively."

Therefore, I think there is no force in the argument put forth by my hon. friend.

Shri Sidhva: Yes, it will be 1st March, 1951.

Pandit M. B. Bhargava: I stand corrected, if that is so. But so far as the existing provisions of this Bill go, my criticism was wholly justified. If any subsequent amendment is made and if it is found to be in the desirable direction, I shall express my sincere thanks to the hon. Law Minister.

I was coming to the point of the provision regarding giving representation to the village panchayat. As far as I know the words "village panchayat" are very vague and indefinite. It does not say that they are village panchayats brought into existence under a particular Act. There are panchayats existing in every village in Ajmer. I presume similar conditions must be prevailing in other States also. In my State these village panchayats have been in existence for a considerable period and they are locally called *shamlat* committees, which means village proprietary bodies. The question arises whether the members of these *shamlat* committees which are in every village and which are no other than village panchayats will be entitled to be

[Pandit M. B. Bhargava]

enrolled and registered as voters. My submission is that the hon. Law Minister's intention appears to be that every village *panch* being a member of the panchayat must have a right to be registered as an elector. If that is so it must be clarified, that every village panchayat, whether existing under a particular Act or if it is existing in fact, and every member of such a panchayat should be entitled to be enrolled as a voter.

A third point to which I would like to draw attention is that one of the qualifications prescribed, so far as educational qualification is concerned, is that a person must have passed the matriculation examination of a university or possess an equivalent qualification which may be prescribed by Government and only then he will be entitled to be enrolled.....

Shri Tyagi (Uttar Pradesh): Most undemocratic.

Pandit M. B. Bhargava: My grievance is that the intention of this clause appears to be that only the matriculation examination or an examination recognised by a University alone qualifies a person to be registered as an elector. A person may be.....

Shri Tyagi: I am afraid this will be against the Constitution, because they cannot distinguish between voter and voter.....

Mr. Speaker: Let us hear the hon. Member and let him develop his argument.

Pandit M. B. Bhargava: There are a number of scholars in Sanskrit, in Persian or Arabic but their only misfortune happens to be that they have not passed the matriculation examination or other recognised examination of a university. All the same they are well read and possess much more educational qualification in the real sense of the term than many of us. Still the poor fellows would not be entitled to be enrolled and registered as voters. This is obviously an inequity. In fact there are certain institutions conferring degrees in Sanskrit, Persian or Arabic and in many cases these degrees are conferred without any examination as honorary degrees, because of the person's attainments and qualifications. There is absolutely no reason why persons possessing these qualifications should be excluded from being enrolled as voters. This is an anomaly. If an educational qualification is to be prescribed as a qualification for a voter only literacy

or a minimum standard of education should be prescribed and not matriculation or any like examination.

The special electorate that is sought to be created by the amending Bill is bound to create many anomalies and complications. I submit that the best way would be direct election from the constituency for representation in the Council of States. In my State of Ajmer two representatives are to be elected to the Lower House. The electors can be called upon to cast their votes simultaneously for three persons—two for the Lower House and one for the Upper House. That will be more democratic and will obviate any difficulties and complications sought to be introduced by means of this Bill.

Pandit Balkrishna Sharma: How may I ask the hon. Member can he get over the difficulty, as membership to the Upper House will be only by indirect election?

Mr. Speaker: Let us not put all these questions at the present stage, otherwise the argument will never end. If every Member puts some question or other, we shall not have a debate on the Bill but a sort of cross-examination of one Member by another. Let us have a proper debate and let us hear the Member patiently whatever he has to say.

Pandit M. B. Bhargava: I am afraid the hon. Member who has interrupted me is suffering from the same fallacy from which the hon. Law Minister suffers, because as I read the provisions of article 80 clause (4), it is absolutely independent of clause (5). So far as clause (4) is concerned it specifically says that the representatives from Parts A and B States will be elected by indirect election. There is no such restriction placed on the powers of Parliament to provide for any special electorate in whatever way it chooses by law. Parliament's powers are unrestricted in this matter, because clause (5) of article 80 does not place any restriction on the powers of Parliament, namely that a person shall be only indirectly elected through a separate body. It is open to Parliament to lay down by law that under the particular circumstances existing in these localities it would be obviously just and proper that there should be direct representation to the Upper House from these constituencies. Looking to all the circumstances of the case this appears to be obviously the most democratic and most popular provision which we can incorporate in the Bill. I therefore submit that though I do not oppose

this Bill at the same time I do not support it, because the obvious method which Government should have pursued in justice to these Centrally Administered Areas was to create legislatures on adult franchise before the election took place and then these legislatures alone could have formed the electorate for choosing a representative to the Council of States. That course would have been a uniform course, a course in consonance with the practice in Parts A and B States. There are no difficulties in the way of taking such a course: the law can be made by Parliament and the procedure can be devised by Parliament. All these anomalies and complications and difficulties are sought to be created only because Government had bypassed the requirements of the Constitution as laid down in article 240. I respectfully beg of the hon. Minister to be just to these areas and to take the proper course, which he must take in justice to them.

Prof. K. T. Shah (Bihar): While the Constitution was going through the Constituent Assembly I had occasion to submit certain amendments, the gist of which was that I dislike the intrusion of any element of indirect election, as it would in my opinion not be in accordance with the spirit of the Constitution which we were framing, it would not be in accordance with the promise of equality contained in the Preamble and not also in accordance with the entire scheme of a democratic responsible government as devised therein. In this particular connection, though provision has been made in the Constitution for indirect election to the Upper Chamber from these areas, the so-called C Class States, I am afraid the present Bill does less than justice to those areas and even to the spirit of the Constitution. The very fact that some of these areas may not have legislatures of their own, throws all the more responsibility on the Government of the day to see that representation, both in the Lower and in the Upper House, is more directly achieved. As to the method provided in this Bill, not only is the mechanism devised not uniform, it is clumsy, it is unpopular, it is almost belying the spirit of the Constitution in the particular article and in general.

3 P.M.

I will not go over the grounds that my hon. friend Pandit Mukut Bihari Lal Bhargava has gone over in regard particularly to Ajmer-Merwara, but I may point out, however, that I come from and happen to have experience

of a C Class State, namely Kutch, which is supposed to be provided for here. In this case, because there is no legislature there of its own, because, moreover, it happens to be a maritime State, because it happens to be also a frontier State, representation directly of that unit in the Central Legislature, both the Lower and the Upper Houses, is far more important—if the interests of the people of that unit are to be considered—than perhaps of the larger and more important A or B Class States. The doctrine of responsible popular governments as enunciated in the Constitution seems, in my judgment, to be hardly borne out by the provisions that are being evolved by the conventions or even declarations of responsible Ministers made in connection with these B or C Class States. Even where there are legislatures, it has been said from high quarters that the Ministries are not responsible in those areas to those legislatures but rather to the States Ministry here. I am not at present quarrelling with the new doctrine of responsible government in B or C Class States—in C Class States there is, in fact, no responsible government though attempts have been made to show that responsible government should be introduced. But even this limited and indirect representation that is admitted to be provided for these States leaves out, in my opinion, a great deal that ought to be there in providing the representation of these units in the Upper Chamber as in the Lower Chamber. Some of these areas are said to be very backward. I admit that if you judge from the usual criterion of education or material prosperity or tax-payers or what not, they may be found, in comparison, to be somewhat backward, but the fact that they are backward is not the fault of those areas. It is the fault both of Governments which preceded and Governments which have succeeded there who have failed to pay due regard to the interests of those areas and the peoples inhabiting them, so that they continue to remain backward, as I say, for no fault of their own. The backwardness that these people suffer from ought to be, if anything, a special reason why greater attention should be shown to a more intensive development there, and that too through the advice or help of the duly elected representatives from those areas. The qualifications, for instance, that have been suggested in this case are such as to make even the suggestion of an indirect election a mockery. It will not be election at all, direct or indirect. Take for instance, this particular unit of which I have been speaking, namely, Kutch. The population of a

[Prof. K. T. Shah]

little over half a million is to be represented by indirect election from about eight or ten municipalities which between them do not contain one hundred members perhaps, and matriculates who again will not number more than 150 or 200. Let us say they will be 500 in all. They will be representing, or indirectly electing a representative for the Upper Chamber of the national Legislature. That for a population amounting to something like half a million, for a frontier State, for a State where there is a major port, for a State which has a considerable contact with foreign countries and whose problems are in many respects so complicated and peculiar that perhaps a distant legislature like the Central Legislature of India may not have, in the absence of local advice, even sufficient knowledge of those problems. I am not suggesting that competent officers and expert advisers may not be available to govern, but I do think that in so far as the country's Constitution wants the government of every unit to be popular and responsible, here are cases in which that doctrine has been sadly belied.

The other day I had brought forward in this House a resolution suggesting that some qualifications be prescribed, and many whispered to me the suggestion that I would be prescribing or advising some educational qualification. It certainly was in my mind that some sort of an educational qualification ought to be prescribed for those who profess to be, who presume to be, the representatives and leaders of their fellows. But I must confess that it was far from my mind and I never thought that matriculation should be a qualification which in the present state of education in this country, ought to be a just and fair qualification even for the elder statesmen as they presumably would be in the Upper Chamber. Speaking of Kutch again, I say, Sir, the actual spread of education in that area is hardly ten per cent. of the total population, and that too confined more to the commercial class, which number itself to a fraction, than to the entire population. Amongst them persons with secondary education perhaps would be less than one per cent. of that ten per cent. so that if you lay down a minimum qualification of the level of matriculation I am afraid you would be denying the right of representation to a very overwhelmingly large proportion of the population of that area. The anomaly that you create by providing on the one hand direct popular elections on the

adult franchise, on adult suffrage, for the House of the People, and at the same time suggesting a preposterously high qualification for the Upper Chamber, and that too in an indirect manner, is in my opinion a negation of the spirit of the Constitution which you have drafted and which you are supposed to be following. I suggest it does not solve the question if you tell us, as we are often told in this House, that these are units in a peculiar position of their own. The other day, in answer to a question in this House with respect to Delhi and a local legislature in the City of New Delhi, we were told that New Delhi is a city where there are diplomats, where there are special reason why a local legislature may not be advisable to be established. Notwithstanding the high authority by which this answer was given, I confess, I felt highly sceptic about the advisability of such an attitude.....

Mr. Speaker: Order, order, Was it about a local legislature? I thought it was about local bodies.

Prof. K. T. Shah: Municipalities, Sir.

Mr. Speaker: Not legislature.

Prof. K. T. Shah: I am sorry, I correct myself. The argument, however, went on the assumption that it is a City of the national capital, placed in a peculiar situation, so that perhaps on the analogy of the City of Washington it would have to be dealt with specially. My point, however, is that even in the City of London where too there are diplomats, where too there is international association, there is such a thing as the L.C.C.—the London County Council—and in addition there are something like eighty to ninety representatives in the national Parliament of the various parts of London. Therefore, the idea that these units are in a backward class by themselves and that therefore special treatment of an invidious kind should be meted out to them is, I submit, far from the spirit of the Constitution. The analogy might be extended to Cutch and it may be said that it is a frontier province and that therefore special treatment is unavoidable in its case, the more so as the population is supposed to be backward. Granted all that, I feel that if you want to understand the problems, the difficulties and the grievances of the people and if you are not ready to establish local legislatures and grant responsible government to the people themselves for whatever

reason, then it is all the more important that those elements which you secure for the Central Legislature—either Chambers thereof—from these units should be as thoroughly representative and as fully elected popularly as possible. The qualifications laid down in this case are such that in the case of Cutch the elements represented would not even be one per cent. of the population of that territory and this would be all the more anomalous because those representing this unit in the House of the People would and can claim to be representatives of the people on adult franchise whereas their counterparts in the Upper House will not have the same authority. It would be—even at the risk of paradox I may say—better to have direct nomination and negative altogether the elective principle rather than make a mockery of it as you are doing in this case. If it is a direct nomination, there is such a thing as the Central Government making the nomination and that Government being made up of responsible Ministers and they may have a sense of responsibility in their choice. Though I am not one of those who believe in the principle of nomination, in exchange for popular institutions known as national legislatures, I feel that this is a lesser evil and a less objectionable thing than indirect election by less than perhaps a fraction of one per cent. of the whole number in the Upper Chamber. Time is still available, especially after the postponement of the election, and Government can either introduce legislative machinery proper for these units and secure, as in the case of Part A and B States, representation as provided in the Constitution even though it is indirect, or alternatively, they may allow this Bill, as suggested by Mr. Kamath, to be considered by a Select Committee and have more important changes introduced therein so that you may have the method of representation for the Upper House in accordance with the spirit of the Constitution. I therefore support the motion for reference to a Select Committee, since it may not be quite practicable or even advisable to move for withdrawal of this Bill at this stage.

Shri A. C. Guha (West Bengal): This is an amending Bill and it is intended to amend some of the sections of the Representation of the People Act to provide representation to the Upper House from Part C States. Apparently, an improvised electorate has to be devised for these States, but Government were conscious that the election would be coming and it

was up to them to introduce some sort of legislative bodies or representative system in these States whereby election to the Upper House may have been done according to the normal democratic procedure. Some of Part C States have a population of about seven or eight lakhs and it is not to be presumed that some sort of local legislature could not have been set up.

Shri Dwivedi: Some of them have thirty-seven lakhs.

Shri A. C. Guha: Yes, Vindhya Pradesh and Himachal Pradesh have a large population. Some sort of legislature could have been set up and if efforts had been made I do not understand why it could not be done. In this Bill, they have proposed to set up an electorate based on educational qualification and membership of local bodies. Apart from the question of introducing an invidious distinction between citizens and citizens on the basis of educational qualifications, I think the matriculation standard would be too high for these States. The Law Minister himself has admitted that many of them are backward and they have not got up-to-date educational facilities. Considering these things, matriculation standard is certainly too high.

Shri Tyagi: If he had his way, he will have only LL.Ds.

Shri A. C. Guha: I shall try to limit my comments mostly to the invidious distinction made against Manipur and Tripura as from other States. I know that at least in Tripura State, there has been an English High School for the last fifty years and now there are about ten such schools and for many years education was free in that school. So, there must have been quite a large number of matriculates and English-educated men in that State. The Law Minister said that Tripura is a tribal area; as if tribal areas cannot aspire to have representation by election and that they should have only nomination. Manipur has been styled as a backward area but it also had a college and some schools. Even though Manipur is a tribal area, as far as my knowledge goes both Manipur and Tripura have had their old local representative and democratic bodies and Government might have utilised them. In the Bill, they have mentioned cantonment boards, district boards, municipal bodies, village panchayats etc. If Government had only enquired, they would have found that village panchayats have been in existence in Manipur and Tripura in a tribal form and those institutions

[Shri A. C. Guha]

could have been very easily utilised for the purpose of the electorate. Even now, if Government care to make some amendments, they can bring these within the scope of the Bill, so that before the elections to the Upper House take place, some form of election procedure may be adopted for these two States. Now the elections to the Upper House will take place only in 1952. If Government are serious to have the elective method introduced, there is still time. Even if there were not be any municipal or other local bodies, Government might have introduced them in these two States which have been under their direct control for the last two years or so. It simply shows an easy way of doing things. Some officer there might have simply said, either to avoid some administrative troubles or to have an easy time, that there is no local body which could be used as an electoral college for the election of representatives to the Upper House. And the Government of India without making proper enquiries must have taken this decision. My humble suggestion to the hon. the Law Minister and Government is that even now they should provide that the election from these States may be according to the rules to be framed later by the President. Some provision like this may be devised and an electoral method introduced. It is up to Government to see that the backward areas are brought into line with the other advanced States. That is all the more reason why responsible Government and democratic methods should be introduced in these States.

This Bill seeks to amend provisions of section 22 of the present Act. I know that at least in Cooch-Behar the electoral roll has been drawn up which does not represent the total population eligible to franchise. It will be surprising to know that in the case of some villages only even one or two persons have been included in the roll. Such cases require to be thoroughly revised and under section 25 of the present Act I think Government has got enough powers to do so.

With these two requests, that is, the electoral roll in Cooch-Behar may be revised and that some form of election method may be introduced in Manipur and Tripura I would like to conclude my remarks on this Bill. I would also like to say that the matriculation standard which has been prescribed for electors to the Upper House from Part C States should be lowered. With these words I commend this Bill.

Shri Sarwate (Madhya Bharat):
The Bill seems to be unobjectionable; on the other hand, it purports to do certain duties which have been cast upon Parliament. But it is a danger signal in another respect. It reveals the attitude of Government and the policy which the Government of India propose following regarding Part C States. Therefore, we object to it very seriously and strongly.

When Part C States were created owing to certain circumstances, it was contemplated even then that no time would be lost in doing away with them at the earliest possible opportunity. I believe that if certain steps had been taken in time, these States would not have remained at all. I will take the instance of the States nearest to me, that of Central India. In Central India, which is now a union of Madhya Bharat, twenty-two States have been merged and formed into one Union. But one single State which was in Central India in British time and which could very profitably have been included in this Union, namely Bhopal, was excluded, because it was then thought for reasons which are obvious that the Nawab should be conciliated and that considerations which prevailed in the case of other Unions should not prevail in this case. I know that this is a matter for which the Ministry of Law is not directly responsible, but I am directing my criticism against Government as a whole, of which the Law Ministry is a part. Therefore, I say that all these Part C States problems are a creation of Government and they are responsible for all the consequent anomalies. It is very necessary that they should take early steps to remove them. For instance, there are certain Part C States which forthwith can be merged in the States in which they are situated. Take the case of Ajmer, for example. Ajmer is an island in the Union of Rajasthan. When one crore of people were so easily merged together and one Union was formed... (An Hon. Member: 1 crore and 46 lakhs) it surprises one, why a tiny island which is situated entirely in the midst and which geographically and traditionally forms a part of that area should be kept apart. One knows not what is the policy of the Government of India regarding this. (An Hon. Member: It is heartlessness.) Again there is Coorg, which can easily be merged in the neighbouring State of Mysore. In the case of Bhopal, the difficulty is the creation of Government itself. A Covenant has been entered into with the Government of Bhopal which guarantees that for five years to come it would be administered as a Commissioner's province.

For the present I am concerned with the best and earliest solution of this problem. Either merge these Part C States into the neighbouring provinces, or create a legislature for them.

[MR. DEPUTY-SPEAKER in the Chair]

I may in this connection refer to article 240 of the Constitution which says that "as soon as possible....."

Dr. Ambedkar: Where is "as soon as possible"?

Shri Sarwate: It was meant when the article was framed.

Article 240 reads:

"(1) Parliament may by law create or continue for any State specified in Part C of the First Schedule and administered through a Chief Commissioner or Lieutenant-Governor—

(a) a body, whether nominated, elected or partly nominated and partly elected, to function as a Legislature for the State; or

(b) a Council of Advisers or Ministers,

or both with such constitution, powers and functions, in each case, as may be specified in the law.

(2) Any such law as is referred to in clause (1) shall not be deemed to be an amendment of this Constitution for the purposes of article 368 notwithstanding that it contains any provision which amends or has the effect of amending the Constitution."

This means that there should be no hurdle or impediment in the way of establishing these legislatures. That shows the mind of the persons who drew up this Constitution. So what I mean is this that the real solution of this problem with respect to Part C States is that they should be merged in the States surrounding them, or a Legislature should be created for them.

Now, there have been certain incorrect statements—which appear to me to be incorrect. The hon. the Law Minister in his opening remarks said there is an indication in the Constitution that, because in Part A States and in Part B States election to the Council of States is indirect—therefore it indicates that—it should be indirect in the case of Part C States also. This is an incorrect indication. If this were the indication, there is an indication also that because there

are elected Legislatures in Part A and Part B States, there should be an elected Legislature in Part C States also. It does not follow, because there are none at present in Part C States. Therefore such indications are not correct. What is stated in the Constitution itself is this. The Constitution gives a very wide margin. It says "as Parliament decides". Parliament has the full discretion to enact in such a way as would be most democratic and in consonance with the principles of the Constitution. And what is the principle of the Constitution? The principle of the Constitution is this that for the electors there is absolutely no qualification except that of residence, age, etc. There is no property qualification and no qualification of education either. What was suggested in the resolution which was brought some time back by Prof. K. T. Shah was regarding the persons who are to be elected—the Members. Even he did not wish that there should be any qualification laid down for persons who are to elect. So it violates that principle inasmuch as in this constitution which is to be created by this Bill certain qualifications—and very high educational qualifications—are laid down. That is not the intention of the Constitution. Therefore, what should have been done is this that all persons who were of the age of twenty-one and who were of sound mind, etc., etc., and had certain residential qualification should have been constituted into a constituency. That should have been the right course. But that has not been followed in this Bill.

It creates an invidious distinction also. In the case of Part A and Part B States there is the system of adult suffrage and certain persons are elected. They have also no qualifications. They go to the Legislature. And the Legislature elects people for the Council of States. So that, all through this link, there is no qualification either of property or of education. But in the case of these Part C States it is the misfortune of the individuals who are there that they are now required to possess certain qualifications, otherwise they are altogether denied representation. I do not know why it should have been found strange to allow the people of Part C States, small or large, directly to vote to the Council of States. That was one alternative which would have been very satisfactory. Just as in the case of Part A and Part B States every individual elector has to cast two votes, one for the Lower Chamber or the House of the People at the Centre and one for his own Legislature, similarly, in the case of Part C States

[Shri Sarwate]

he should have been allowed to cast two votes, one for the Upper Chamber and the other for the Lower Chamber. That would have satisfied both the democratic requirements and also would have been a fair basis. Now it is very unfair. You go on selecting certain persons. One may suggest that matriculation is the standard. Others may say it is very high and the vernacular standard should be fixed. Who is to judge and what is the test on which you would decide? There is absolutely no test. Does it mean that because one becomes a matriculate therefore he has the necessary qualification to vote? A matriculate, in other ways characterless, would also be qualified to vote.

So I submit for the consideration of the hon. the Law Minister two alternatives. One is that he should allow direct representation to the Council of States so far as Part C States are concerned. There is absolutely nothing in the Constitution which goes against this. As far as I can see, there is nothing in that clause which would prevent us from enacting in this way that it would be a constituency which would directly choose Members to the Upper Chamber. Or, in the alternative, I suggest that there should be one person for every ten thousand and there should be an electoral college which would be in a way analogous to the Legislature in the States. Just as in the other States you have one person for every one lakh of population who goes to form the State Legislature, and that Legislature is allowed to send to the Upper Chamber a certain number of representatives, in the same way, in Part C States have some proportion, say, one for every five or ten thousand or something like that, have an electoral college or body formed. That electoral body should send to the Centre the required number of representatives. That would do away with all that sort of qualifications which are in this Bill. I am sure in the course of the consideration of the Bill there may be so many amendments, if one proposes to do so, for instance, one who is literate, one who is a graduate, and all sorts of things. To obviate all this and to meet the democratic requirements of the Constitution itself—and I believe nobody would be more democratic than Dr. Ambedkar himself—I suggest he should either have an electoral college or allow direct representation. These are the two alternatives which I would suggest and which are in every way better than what is contained in the Bill itself.

Shri Kamath: A year from now we shall be embarking upon one of the biggest democratic ventures that the world has seen. And it is therefore very essential in our own interest, in the interest of the future also, that every step that we take shall be taken after the most mature consideration and after deliberate judgment, because what we do today and during the next twelve months will set the pattern for the future of democracy in our country.

The objective of this Bill, as Dr. Ambedkar has said, is two-fold. The first part pertains to the election or the choosing of representatives from Part C States to the Council of States, the Upper Chamber at the Centre, and the second part concerns the preparation, or rather the work that has already been done in connection with the preparation, of electoral rolls in the States. We have adopted for good or for ill, a bicameral system at the Centre and the Constitution has prescribed the mode of election to the Upper House so far as Part A and B States are concerned, but the method of election or selection to the Upper Chamber from Part C States has been delegated to Parliament, and therefore this Bill has come before us. The Bill is not so simple as it looks on the surface. To my mind, it bristles with a number of difficulties and that is why I thought it fit to move the motion for reference of the Bill to a Select Committee of this House, where in a more intimate atmosphere and in a more untrammelled atmosphere we could thrash out the points at issue and arrive at agreed conclusions which could subsequently be passed without much difficulty in this House. The same method, if I remember aright and as the House will recollect, was adopted,—though at the last moment—during the passage of the original Bill in the Budget session of Parliament, that is to say, the Representation of the People Bill, which has now become law. There also, though a Select Committee was not appointed on the first day, in the afternoon when matters became a little more intricate, when the atmosphere threatened to become stormy, the Law Minister agreed to accept a suggestion that the matter might be considered more carefully in an informal Committee of the House, and the Committee met for a few hours and arrived at agreed conclusions which were later passed in this House without much ado. The same method, if adopted here, I am sure would make the way easier for the passage of this Bill in the House. Otherwise, I for one, am afraid that

much valuable time might be wasted over things and matters which could be disposed of in the Select Committee.

Taking the first part of the objective, that is, the Representation of Part C States in the Upper Chamber at the Centre. I fail to understand why the number of nomination has been sought to be introduced in the case of Manipur and Tripura. I feel that adequate examination of this matter has not been made and my friend, Mr. G. S. Guha, who represents Tripura in this House tells me that it is wrong to say that there are no elected bodies of any sort in Tripura. In any case, I do not think it will be beyond the wit of man to devise an electoral college for the States of Manipur and Tripura. Article 80 of the Constitution which concerns the Council of States reads thus:

"The Council of States shall consist of—

(a) twelve members to be nominated by the President in accordance with the provisions of clause (3); and

(b) not more than two hundred and thirty-eight representatives of the States."

The impression that I got during the consideration of this article in the Constituent Assembly was that the number of nominated seats in this House will not exceed 12. I may be wrong; I am speaking subject to correction, but that is the impression that I got and, still retain today. Dr. Ambedkar on behalf of the Drafting Committee—the pilot as he was of the Constitution—gave a categorical assurance—and the House accepted it with gratification—that so far as the Upper Chamber at the Centre was concerned, there will not be more than 12 members nominated thereto. Now, in view of this Bill which has come before the House as a consequence of clause (5) of article 80, it appears that the number of nominated seats will be increased by one, the nomination from Manipur and Tripura. I should therefore like to know whether this one seat for Manipur and Tripura, a member for which will be nominated by the President, will be among these 12 or will be a seat in addition to the 12 to be nominated by the President under article 80(1) (a). It seems to me that that nomination will be in addition to this 12. Why? Because clause (3) of article 80 goes on to say:

"The members to be nominated by the President under sub-clause (a) of clause (1) shall consist of persons having special knowledge or practical experience in respect of such matters as the following namely:

Literature, science, art and social service."

So far as the present Bill is concerned and so far as the Member for Manipur and Tripura in the Council of States is concerned, this Bill is silent on the point whether the President will nominate a Member who has got experience of these matters or has got a special knowledge of these matters. I would like Dr. Ambedkar to throw some light on this, but my impression is that the nominated Member will be in addition to the 12 which are referred to in clause (1)(a) of article 80 of the Constitution.

Dr. Ambedkar: He would be out of the 238.

Shri Kamath: I am glad that Dr. Ambedkar has given us the correct interpretation of this article. Therefore it is 13. Mr. Tyagi tells me that it is a bad number; I do not know whether it is really bad. In Christian superstition 13 is an unlucky number; but I do not know if it is so for all. If it is, we had better avoid it. Any way it is clear that the Member for Manipur and Tripura will be the thirteenth nominated Member in the Council of States. I therefore feel that the passage of this Bill will imply a violation of the spirit of the Constitution in this particular matter, in that the number of nominated members which is prescribed by the Constitution in article 80, has been increased from 12 to 13.

Mr. Deputy-Speaker: Does it tilt the majority?

Shri Kamath: I am not on the question of majority. The impression I got was that only twelve will be nominated. Now, it has become 13.

Coming to the next point, Vindhya Pradesh has been treated during recent months as worse than a step-child. As the House will recollect, Schedule of the Constitution included Vindhya Pradesh in Part B. Later on, for various reasons, under the relevant article, by the President's order, it was transferred to Part C, degraded or demoted. The number of seats allotted to Vindhya Pradesh in the House of the People is six. It is the only Part C State which has got more seats than even one of the Part B States. The Representation of the People Act, which was passed in the

[Shri Kamath]

Budget session, shows that the P.E.P.S. Union has been allotted five seats in the House of the People, while Vindhya Pradesh, though relegated to Part C, has been allotted six seats in the Lower House of Parliament. Jammu and Kashmir also got six seats in the Lower House and Saurashtra got six seats in the Lower House. To my mind, it seems that Vindhya Pradesh has been unfairly dealt with in the Bill before the House. Having been relegated to Part C, Vindhya Pradesh will probably have no legislature of its own for some time to come. That is the first wrong that has been done to Vindhya Pradesh. That State which has a population of over 30 lakhs.—I think I am right in that—

Several Hon. Members: 35 lakhs.

Shri Kamath: ... over 35 lakhs, has, by a strange irony of fate, by a strange conspiracy somewhere, been relegated to a position where the people of the State can have no direct voice in their own affairs.

Shri Tyagi: Their representatives here have accepted it.

Shri Kamath: That is unfortunate.

Capt. A. P. Singh (Vindhya Pradesh): No; we are still on our legs.

Shri Kamath: On top of that comes the mode of election to the Council of States from Vindhya Pradesh, and the delimitation of constituencies for such elections. Sub-section (2) of the proposed section 6C before us, pertains to this matter, that is election to the Upper House from Vindhya Pradesh. That sub-section runs as follows:

"As soon as may be after the commencement of this Act, the President shall, after consultation with the Election Commission, by order determine the constituencies into which the State of Vindhya Pradesh shall be divided, the extent of each constituency and the number of seats allotted to each constituency for the purpose of election of representatives of that State to the Council of States."

The House will remember that during the discussion of the mother Bill, the parent legislation, in April

last, there was a similar clause where Parliament's jurisdiction was sought to be ousted in connection with the delimitation of constituencies to the House of the People. Later on, the Law Minister agreed to have it amended and Advisory Committees of this House were set up to collaborate with the Election Commission and recommend to the President. Here again, I feel there has been an oversight. It would have been all right if like the other States in Parts A and B, the election to the Upper House from these Part C States had been done through an electoral college consisting of the Legislative Assemblies of those States. In the case of Part C States, especially in the case of Vindhya Pradesh, where there is no Legislative Assembly, it is very necessary and it behoves this House to see that all work in connection with the delimitation of constituencies, etc., for the Upper House too is undertaken or is done by a Committee of the House in collaboration with the Election Commission. Therefore I suggest that this work referred to in sub-section (2) of proposed section 6C of this Bill should also be undertaken by the Delimitation Advisory Committee of Vindhya Pradesh, and should not be left to the President in consultation with the Election Commission. That is what I would like to have done with regard to Vindhya Pradesh, failing a legislature in the State itself.

Mr. Deputy-Speaker: May I suggest to the hon. Members. I find a number of hon. Members desirous of taking part in this debate. There are representatives of Vindhya Pradesh and other Part C States which are affected. If hon. Members who do not come from these areas will give an opportunity to the Members who represent those areas, it would be better. Therefore, I would request hon. Members who are not connected with Part C States to confine their remarks to general considerations of the Bill. Not that it is not competent for them; but as between Members who represent those States and others who generally represent the whole country. I would like to give an opportunity to those hon. Members who come from those States. As the time at our disposal is short, points may be made except where elaboration is necessary. I ought not to be taken amiss. It is only for the purpose of seeing that as many Members as possible are allowed to take part in the debate, with special reference to those areas, that I am making this suggestion.

Pandit Thakur Das Bhargava: This may cause some difficulty. For instance, there are several amendments with reference to Bilaspur State and there is no representative from Bilaspur and I would like to speak in reference to these amendments.

4 P.M.

Mr. Deputy-Speaker: That is quite possible. Of course, this is not an inviolable rule or anything of that kind. If the hon Member wants to speak what the representative from Bilaspur is not able to do to-day, he may do so. There is no inviolable rule that only representatives from those States should speak. For instance the hon. Member. Shri Kamath may proceed to speak about Vindhya Pradesh, but then I may not be able to call upon any Member from Vindhya Pradesh to speak, and there need not be any complaint on that score.

Shri Raj Bahadur (Rajasthan): But this Bill refers also to the Ordinance which pertains to the whole of India.

Mr. Deputy-Speaker: In so far as it refers to all-India matters. Members who do not represent any Part C State may speak on them, leaving the rest to be dealt with by those who represent Part C States.

Dr. R. U. Singh (Uttar Pradesh): It is not merely a question of matters of all-India importance. There are certain questions where principles are involved and Members who are interested in them should also be able to give their opinions.

Mr. Deputy-Speaker: I have the least objection to any hon. Member speaking on any topic included in this Bill. But closure will be applied at a certain time and we will have to accept it, at a particular period, though not to-day.

Shri Kamath: One word more before I pass on to another aspect of the Bill.

As I was saying, this proposed section 6 C(2) refers not merely to the determination of constituencies in Vindhya Pradesh, but also to the number of seats allotted to each constituency. That means that it will deal with the constituencies also, whether they should be uni-member constituencies or multi-member constituencies. I would like to draw the attention of the House to what happened here during the passage of the original Bill which this Bill seeks to amend. That is why I am anxious that the House should give very careful consideration to this aspect of this Bill. On the 20th April, 1950, the hon. Law Minister, Dr. Ambedkar intervening at a certain stage of the debate stated categori-

cally that "the matter of delimitation—clause 6 of the Bill which provides for delimitation will certainly not come into operation until that other Bill has been passed". Earlier in the debate, he also said, "I have not the slightest intention to deprive Parliament of its right to have its determination upon that subject. In fact, as I said in my opening speech yesterday.....this Bill is not a complete Bill itself. This Bill is to be followed by another Bill which may be either called Conduct of Elections Bill or the Electoral Bill."

That Bill is yet to come and matters like the nature of constituencies, whether they should be single-member or plural-member constituencies, and what kind of voting, whether distributive voting or cumulative voting or any other system of voting have to be determined by Parliament.

This Bill, he said, which has come now, should have come after that other Bill to which the hon. Minister then referred. But everything in connection with delimitation of constituencies has been undertaken, it has been taken up and perhaps all but finalised, without that second Bill, to which he referred, being even introduced in this House, let alone being considered and passed. And Sir, you are well aware, yourself being the chairman of the Madras Delimitation Committee, how a vexed question arose about multi-member constituencies, where especially reservation for Scheduled Castes and Scheduled Tribes is concerned. And I understand that varying decisions have been taken by different committees in this regard. The Chief Election Commissioner too was not clear or definite upon this point. And therefore, I feel that so far as this entire electoral law and Parliament is concerned, the cart has been put before the horse and the Bill which should have preceded the Representation of People Bill has not been introduced in this House, and owing to that, several difficulties have arisen with regard to the delimitation of constituencies. I wonder when and how these matters will be set right. Had that other Bill been passed by the House, this particular difficulty would not have arisen. There might have been other difficulties, but I would not like to refer to them at this stage.

Now, coming to the second objective of the Bill—the validation of the Ordinance promulgated by the President a few months ago: That dealt with the preparation and publication

[Shri Kamath]

of the electoral rolls, and the Statement of Objects and Reasons of this Bill makes it clear that that Ordinance provided for the preparation of the first electoral rolls in relation to such electoral units or areas to which Dr. Ambedkar referred. It is stated here thus:

"This provides for the preparation of the first electoral rolls in relation to such electoral units in each State as the Election Commission may in consultation with the Government of that State direct, and also for the preliminary publication of the electoral rolls by "reference to such electoral units instead of constituencies which have not yet been delimited."

It was at that time felt—as Dr. Ambedkar made it clear to the House—that the elections were due or would be held in the spring or summer of next year, but subsequently, this decision was altered, and the elections have been postponed to the winter of next year. But unfortunately, this ordinance was promulgated before the decision to postpone the election was arrived at. Therefore, owing to the promulgation of this Ordinance, there was a sense of needless urgency created in the States and owing to that, there was, if I may say so, a degree of hustling which was neither advisable nor desirable in the preparation of the electoral rolls. In view of the fact that we are going to have the biggest electorate in history—180 millions will go to the polls next year—it is hardly proper or even worthy of the first republican Government of Free India to hustle this particular matter of enrolling the electors throughout India. May I point out a small instance consequent on this hustling? In my own State of Madhya Pradesh, the preliminary rolls have been published; but I have been advised separately by three friends of mine—I could not go there myself—from Nagpur, that unfortunately my name is missing from the rolls.

An Hon. Member: What a calamity!

Pandit Thakur Das Bhargava: The late Pandit Malaviya's name was missing from the rolls of 1937.

Shri Kamath: Well, I am glad I am in illustrious company, and I should not have any grouse about it. But I only brought it to the notice of the House just as an instance to show what has resulted from needlessly hustling this process. This has been most negligently.....

Shri Hussain Imam (Bihar): There should have been an adjournment motion before the House about this.

Shri Kamath: Of course, I will take suitable measures to set right this matter. But if this has happened in my case, I do not know how many more cases there might be, and how many other names may be missing from the electoral rolls.

One of the daily newspapers of this Capital also referred to this matter the other day editorially and said:

"Some of our readers who have taken the trouble of looking through the list to trace their names and those of their associates have written to us complaining that the lists suffer from such serious errors of omission and commission that they should be prepared afresh."

This is the editorial comment of one of the important daily newspapers of Delhi. The point I am trying to make out in this connection is that owing to the promulgation of this Ordinance which is sought to be validated now, the electoral rolls in many parts of the country have been prepared and published wrongly and carelessly. This matter must be very diligently looked into even at this stage and the House should examine what omissions, commissions and remissions have occurred so far as this matter is concerned, and the House must decide as to whether any fresh directions have to be given as regards this particular matter, because this is the pivot of the coming elections. If the rolls are prepared wrongly then the elections become a mockery, and it is far better not to have the election at all than to stage a farce on such cooked up, fabricated or pre-fabricated electoral rolls.....

Mr. Deputy-Speaker: Are the rolls fabricated after the election? They are always prefabricated.

Shri Kamath: I am glad that at least in this matter prefabrication is a necessity.

Under Part IIIA (Qualifications of electors for Council of States constituencies and their Registration.) the qualifications that have been laid down are many and citizens who pass any of these tests will be entitled to be registered as voters in those particular constituencies. I find, however, that certain local bodies which have come into being in recent times in certain parts of the country have not

been recognised in this particular part of the Bill. In Madhya Pradesh we have inaugurated, and they are functioning now, what are called *Janapad sabhas*. This is a serious omission, because these sabhas have taken over large functions and powers of local administration.

Dr. Ambedkar: Are there *Janapad Sabhas* in Part C States?

Shri Kamath: I do not know whether there are any bodies similar to that in Part C States. My friends here from Part C States may know whether in addition to the local bodies mentioned here, since the inauguration of the Republic, during the last three years, bodies corresponding to *Janapad sabhas* in Madhya Pradesh have not been introduced in other States of India. Because there have been various changes, some of them very fundamental, so far as local administration is concerned, we should be very careful before we lose sight of any particular local body that might have come into existence during the last two or three years.

In the end I will only say that the points which this Bill raises and call for a wise and stable decision are many and varied. In my humble judgment those points cannot be discussed or decided so easily or with such little loss of time in this House as they could be in the atmosphere of a Select Committee. I would therefore plead with the House that this Bill may be referred to a Select Committee and I commend the motion for the unanimous acceptance of the House.

कॉन्टिन ए० पी० सिंह: उपाध्यक्ष महोदय, सब से पहले मैं आप को धन्यवाद देना चाहता हूँ कि इतनी बार खड़े होने के पश्चात् आप ने कृपा कर के मुझे समय दे दिया। मैं विन्ध्य प्रदेश से आता हूँ और वह पार्ट 'सी' स्टेट्स का हिस्सा है। विन्ध्य प्रदेश के सम्बन्ध में अभी मेरे मित्र मि० कामत ने कुछ कहा है और मैं उन्हें उस के लिये धन्यवाद देता हूँ। उन्होंने इस हाउस का ध्यान विन्ध्य प्रदेश की आपत्तियों की ओर आकर्षित किया है। विन्ध्य प्रदेश पहले पार्ट 'बी' स्टेट्स में था और कांस्टिट्यूशन के फोर्स (force) में आने के कुछ ही दिन पहले वह पार्ट 'सी' स्टेट्स में कर दिया

गया था। इस के सम्बन्ध में वहाँ बहुत कुछ आन्दोलन हुआ, यहाँ तक कि उस समय गवर्नमेण्ट को वहाँ गोली भी चलानी पड़ी। लेकिन बहुत कुछ विरोध होने के बावजूद भी यह हिस्सा पार्ट 'सी' स्टेट्स में कर दिया गया। उस के कारण यह कहा गया कि आगे चल कर हम बहुत शीघ्र ही इस का निपटारा कर देंगे और यह इस तरह पर नहीं रखा जायेगा कि जो हालत हम उस की आज देख रहे हैं। कई बार हम लोगों ने होम मिनिस्टर से जो स्टेट मिनिस्टर भी हैं, यानी सरदार वल्लभभाई पटेल से इस सम्बन्ध में बात की कि हमारे यहाँ पर रिसपान्सिबल गवर्नमेण्ट (Responsible Government) हो जानी चाहिये। उन्होंने यह कहा कि ठीक है, हम इस पर विचार कर रहे हैं और हम को यह आशा लगी हुई थी कि इस में कुछ न कुछ किया जायेगा। उस के पश्चात् पार्ट 'सी' स्टेट्स की ओर से भी सब लॉग एक डेपुटेशन बना कर के सरदार वल्लभभाई पटेल के पास गये और उन्होंने कहा कि शीघ्र ही इस पर कुछ न कुछ किया जायेगा। परन्तु दुःख की बात है कि अभी दो चार दिन पहले कुर्ग के सम्बन्ध में जो उत्तर स्टेट मिनिस्ट्री (States Ministry) की ओर से दिया गया वह बहुत ही निराशाजनक था। कुर्ग स्टेट की ऐसेम्बली ने यह तजवीज की कि वहाँ रिसपान्सिबल गवर्नमेण्ट होनी चाहिये और इस सम्बन्ध में मेरे मित्र जो वहाँ से पार्लियामेण्ट के मेम्बर हैं, उन्होंने प्रश्न किया कि उस पर क्या ऐक्शन गवर्नमेण्ट ले रही है तो गवर्नमेण्ट की तरफ से उत्तर मिला कि वह तो वापस कर दिया गया है और उस पर कोई विचार नहीं किया जायेगा। इस पर उन्होंने उस का कारण पूछा तो वह कारण स्टेट मिनिस्ट्री ने बहुत विचित्र बतलाया। यह कहा गया कि वहाँ

[कैंप्टिन ए० पी० सिंह]

पर दो पार्टीज हैं और वह आपस में लड़ रही हैं इस लिये वहां उत्तरदायित्वपूर्ण शासन नहीं हो सकता। इस पर जब उन्होंने कहा कि इस विषय पर तो सब युनैनिमस (unanimous) हैं और एकमत से उन्होंने राय दी है कि हमारे यहां रिसपान्सिबल गवर्नमेण्ट हानी चाहिये। इस पर स्टेट मिनिस्ट्री की ओर से जवाब देते हुए राजा जी ने कहा कि मुमकिन है कि इस बात पर कुछ एकमत हो, मगर बहुत सी बातों में मतभेद हो सकता है, इस लिये आप के यहां रिसपान्सिबल गवर्नमेण्ट नहीं हो सकती। शायद ही कोई डिमाक्रेटिक गवर्नमेण्ट संसार में ऐसी हो जो इस के कारण कहीं रिसपान्सिबल गवर्नमेण्ट रोक रखती हो। एक समय वह था जब कि सेण्ट्रली ऐड-मिनिस्टर्ड ऐरिया (centrally administered area) के खिलाफ हमारे कांग्रेस के प्लेटफार्म से स्पीचेज होती थी, उस समय मिस्टर गोखले इत्यादि जो ऐसेम्बली के मेम्बर थे वह चीफ कमिश्नर्स प्राविसेज तक के लिये अपोज (oppose) करते थे। वह कहते थे कि कोई डिस्टिक्शन (distinction) नहीं होना चाहिये। मुझे वह दिन याद है जब सी० पी० भी चीफ कमिश्नर्स प्राविन्स (Chief Commissioner's Province) था। उस के लिये कहा जाता था कि यह सब गवर्नर्स प्राविन्सेज (Governor's provinces) होने चाहिये और उस आन्दोलन के फलस्वरूप माण्टेगू चेम्सफोर्ड स्कीम (Montague Chelmsford Schem) में यह सब किया गया। आज वही कांग्रेस गवर्नमेण्ट जो उस की सक्सेसर (successor) है उसी चीज को इन्हेरिट (inherit) कर रही है। अपने राज्य में वही कांग्रेस गवर्नमेण्ट आज सेण्ट्रली ऐड-

मिनिस्टर्ड ऐरिया में लोगों को रख रही है और खास कर उस हिस्से को जो किसी तरह कांग्रेस के काम में पीछे नहीं रहा है।

में विन्ध्य प्रदेश के सिर्फ एक हिस्से के बारे में आपका ध्यान आकर्षित करना चाहता हूँ जिस का जिम्मा कांग्रेस की रिपोर्ट में, डाक्टर पट्टाभि सीतारमैया की रिपोर्ट में और दूसरे प्राविसेज की रिपोर्टों में भी है। उस समय कांग्रेस में विन्ध्य प्रदेश बुन्देलखण्ड में था। जो कांग्रेस कमेटी के महाकोशल प्रान्त में शामिल था। सन् ३०-३२ की जो लड़ाई हुई उस की रिपोर्ट में लिखा हुआ है कि ब्रिटिश इण्डिया के जो १४ जिले थे उन में मिला कर इतने आदमी जेल में नहीं गये थे जितने अकेले विन्ध्य प्रदेश से गये थे। इतना ही नहीं मार्टर्स (Martyrs) शहीदों की भी तादाद हमारे यहां की अधिक थी। यही हाल सन् ४२-४४ के ऐजीटेशन (agitation) में भी हुआ। हमारे यहां के लोग ब्रिटिश इंडिया के प्रान्तों में जा कर वर्किंग कमेटी के मेम्बर और प्रान्तीय कांग्रेस कमेटियों के सभापति इत्यादि तक हो चुके हैं। परन्तु आज वही हिस्सा इस तरह ट्रीट (treat) किया जा रहा है गोया यह बिल्कुल एक ट्राइबल ऐरिया (tribal area) से भी खराब है। जब हम यहां से जाते हैं तो हमारे यहां के लोग हम से कहते हैं कि आप लोग वहां क्यों बने हुए हो, क्यों नहीं इस्तीफा दे कर अलग हो जाते हम लोगों की, जो कांग्रेस के काम में किसी से पीछे नहीं रहे, आज यह हालत की जा रही है कि हम को सी क्लास में रखा जाता है और दूसरे प्राविसेज को ए और बी क्लास में रखा जाता है और इस तरह से हम लोगों को इनफीरियोरिटी कम्प्लेक्स (inferiority complex) दिया जा

रहा है। मेरी समझ में नहीं आता कि क्यों इस प्रकार की बात हो रही है।

सरदार वल्लभभाई पटेल की तरफ से राजा जी ने जो उत्तर दिया, अब उस के बाद आप देखिये कि आज डाक्टर अम्बेडकर साहब कहते हैं कि चूँकि अब कोई यह उम्मीद नहीं है कि वहाँ रिसर्पासिबिल गवर्नमेण्ट आये इस लिये हम को इस तरह का बिल लाना पड़ा। यह सुन कर तो मुझे और भी आश्चर्य हो रहा है। अभी तक तो मैं यह समझता था कि सरदार वल्लभभाई पटेल ने कहा है कि हम सोचेंगे, लेकिन अब तो वह सोचना भी खत्म हो गया। जैसे कि भरत जी ने जब सुना कि हमारे पिता मर गये हैं तो उन को बड़ा दुःख हुआ मगर उस के बाद जब उन्होंने यह सुना कि रामचन्द्र जी बन चले गये हैं तो वह भूल गये कि हमारे पिता मर गये हैं क्योंकि उन को और अधिक दुःख हो गया। तो आज जो डाक्टर अम्बेडकर साहब ने कहा उस से तो मुझे और भी रोमांच हो आया कि न मालूम अब क्या होने वाला है। अब कहा जा रहा है कि वहाँ लड़ाई है। तो लड़ाई तो सब जगह है। मद्रास प्रेसीडेन्सी में भी लड़ाई है, यू० पी० में भी कुछ लोग अलहिदा हो चुके हैं, बंगाल में लड़ाई है, सब जगह लड़ाई है। तो क्या इस वजह से उन को उत्तरदायित्वपूर्ण शासन नहीं दिया गया? तो मान लीजिये कि विन्ध्य प्रदेश में भी लड़ाई है तो क्या उस की वजह से हम को रिसर्पासिबिल गवर्नमेण्ट नहीं दी जायेगी? यह दलील मेरी समझ में नहीं आती। इस से पहले यह दलील दी जाती थी कि तुम्हारी आर्थिक स्थिति ऐसी है कि तुम उस को नहीं चला सकते हो। अश्वयज्ञ महोदय, मैं इस सम्बन्ध में कुछ बतला देना चाहता हूँ क्योंकि वहाँ की मिनिस्ट्री से मेरा

सम्बन्ध रहा था। पहले वहाँ का खर्चा ठीक तरह से चल रहा था लेकिन स्टेट मिनिस्ट्री से बार बार लिखा जाता था कि एक हजार का नौकर रखो, दो हजार का नौकर रखो, दो हजार का पुलिस का अफसर होना चाहिये, दो हजार का दूसरा आदमी कमिश्नर होना चाहिये और डिविजनल कमिश्नर (Divisional Commissioner) होना चाहिये। मैं उस को नहीं मान रहा था। मैं कहता था कि जब हमारे प्राइम मिनिस्ट्र की तनख्वाह पांच सौ है तो क्या जरूरत है कि और आदमी हम ज्यादा तनख्वाह के रखें। केवल रुपये से तो यह नहीं हो सकता कि आदमी ईमानदार भी हो जाये। ईमानदारी तो एक दूसरी चीज है। ईमानदारी का रुपये से कोई सम्बन्ध नहीं है।

बाबू रामनारायण सिंह बहिन ठीक।

कैप्टन ए० पी० सिंह : अगर हम रुपये पर ही ईमानदारी को मुनहसिर समझते हैं तो हम प्रास्टीट्यूशन आफ नालिज (prostitution of knowledge) कर रहे हैं, हम अपनी विद्या को बेचना चाहते हैं। लेकिन वह तो हम को करना नहीं था। मैं ने बार बार स्टेट मिनिस्ट्री को लिखा कि हम को इस के लिये फ़ोर्स न किया जाये कि हम लोगों को अधिक तनख्वाह दें। उन्होंने कहा कि अगर ऐसा नहीं करोगे तो एफ़िशियन्सी (efficiency) नहीं आयेगी। अब आप एफ़िशियन्सी देखिये। पहले जब मिनिस्ट्री थी उस समय अगर कहीं डकैती पड़ जाती थी तो बार बार यहाँ से लिखा जाता था कि तुम ला एण्ड आर्डर (law & order) ठीक मेन्टेन (maintain) नहीं कर रहे हो। तब हम फ़िगर्स (figures) देते थे कि साहब बगल के प्रान्तों में यू० पी० और सी० पी० में हमारे यहाँ से अधिक डाके पड़ रहे हैं।

[कैप्टन ए० पी० सिंह]

फिर आप वहाँ क्यों एफीशियन्सी मानते हैं। मगर इस का कुछ जवाब नहीं दिया जाता था। फिर भी हम ने डकैतियां बन्द कर दीं और जितने डाकू थे उन को जेल में बन्द कर दिया गया और करीब करीब डाकेजनी बन्द हो गई। उस के बाद जब से वहाँ की पापुलर मिनिस्ट्री (Popular Ministry) अलग हो गई तो आज क्या हो रहा है। जिस डकैत देवी सिंह को हमने पकड़ कर जेल में बन्द कर दिया था वह और उस का गैंग (gang) जेल से छूट गये और आज कल बिन्ध्य प्रदेश में यह हालत है। रही है कि वहाँ दिन दहाड़े डाके पड़ते हैं। देवी सिंह यह ऐलान करता है कि जो डाका दिन में पड़े वही मेरा डाका माना जाय, मैं दिन डूबने के बाद और प्रातः काल होने से पहले डाका नहीं डालता हूँ। अब यह है वहाँ की हालत। सूचना देने वालों की नाक काट ली जाती है, आंखें निकाल ली जाती हैं और हाथ काट लिये जाते हैं और पुलिस के लोग भी गोलियों के शिकार हो जाते हैं। अब वहाँ यह एफीशियन्सी है। जब कि दो दो हजार माहवार के आदमी रखे गये हैं। पहले केवल पांच सौ रुपये माहवार का एक आदमी आई० जी० पी० (I.G.P.) का था और उस ने वहाँ डकैती बन्द कर दी थी। मैं कोई बात गलत नहीं कहूँगा। अगर पार्लियामेंट चाहे तो पार्लियामेंट की एक कमेटी इस की जांच कर सकती है। मैं ऐसी एक बात भी न कहूँगा जिसको मैं साबित न कर सकूँ। तो वहाँ आज यह हालत है कि दिन दहाड़े डाके पड़ रहे हैं और दो हजार रुपये माहवार के आदमी आई० जी० पी० भेजे गये हैं और आई० सी० एस० और दूसरे अफसर भेजे गये हैं, मगर डकैती बन्द नहीं हो रही है। गवर्नमेण्ट से बार बार इस के लिये तक्राजा

किया जाता है मगर कुछ नहीं हो रहा है। उस समय हम को सिर्फ दस पन्द्रह हजार रुपया विशेष खर्च करना पड़ता था।

Mr. Deputy-Speaker: Are we going into the details of the administration of the State? We should confine ourselves to the provisions of the Bill.

कैप्टन ए० पी० सिंह : तो मेरे कहने का मतलब यह है कि हम बिन्ध्य प्रदेश में रिसर्पांसिबल गवर्नमेण्ट होने की आशा लगाये हुए थे और इस वजह से और भी कि अब वहाँ की हालत और भी खराब हो गई है। पर अब इस की वहाँ के लिये उम्मीद नहीं है।

अब मैं इस बिल पर आता हूँ। इस के सम्बन्ध में मुझे डाक्टर अम्बेडकर साहब से यही कहना है, जैसा कि मेरे एक और मित्र ने कहा था, कि वहाँ एक एलेक्टरल कॉलिज (Electoral College) बना दिया जाये जिस तरह से कि ए और बी पार्ट की स्टेट्स में होने वाला है। वहाँ जो इलेक्टरल कॉलिज होगा उस का नाम लेजिस्लेचर (Legislature) होगा। हमारे यहाँ आप उस को लेजिस्लेचर का नाम न दें पर एडल्ट सफ़रेज (Adult Suffrage) पर एक एलेक्टरल कॉलिज बना दें और इस तरह की एक बाडी (Body) हर यूनिट (Unit) में चुनी जाये। मैं इस बारे में अपना अमेण्डमेण्ट भेजने वाला था मगर हमारे पास यह विहप (whip) भेजा गया है कि कोई अमेण्डमेण्ट न भेजा जाये। इस लिये मैं ने कोई अमेण्डमेण्ट नहीं भेजा। मैं ने उस में यह कहा था कि सत्तर आदमियों का एक एलेक्टरल कॉलिज बना दिया जाये। यानी पचास पचास हजार आदमियों पर एडल्ट सफ़रेज पर इलेक्ट हो कर एक एक आदमी आ जायेगा और यह जो ७० आदमी होंगे वे प्रप्रोशंनल रिप्रैजेंटेशन (proportional representation) से बिन्ध्य प्रदेश से अपर हाउस (Upper

House) के लिये ४ आदमियों को इलेक्ट कर देंगे। मैं समझता हूँ कि जो आप कर रहे हैं वह बिल्कुल अन्याय है और यह आप के कान्स्टीट्यूशन के बिल्कुल खिलाफ है। मैं नहीं चाहता कि आप यह चीज़ कान्स्टीट्यूशन के खिलाफ करें। मैं तो कहता हूँ कि यह जो आप का बिल है वही कान्स्टीट्यूशन के खिलाफ है क्योंकि पार्ट ए में जो आदमी है और पार्ट बी में जो आदमी है वह ज्यादा डिमाक्रैटिक मान लिये गये हैं और पार्ट सी में जो हैं वह अन-डिमाक्रैटिक माने जाते हैं, वह बैकवर्ड (backward) माने जाते हैं। तो मैं और मैं (man and man) के बीच में डिस्क्रिमिनेशन (discrimination) तो हो ही रहा है। ऐसी हालत में मैं यह समझता हूँ कि मिस्टर कामत का जो मुझाव है उस को मान लें। मैं मिस्टर कामत के सजेशन को सपोर्ट (support) करता हूँ कि एक कमेटी अगर बना दी जाये तो उस कमेटी में हम सब लोग एकट्ठा हो कर इस बात को तय कर लेंगे कि किस तरह पर एलेक्टोरल कालेज बनाया जाये।

दूसरी बात जो एलेक्टोरल रोलस (Electoral Rolls) के बाबत कही है वह तो बिल्कुल ऐसी है कि विन्ध्य प्रदेश की हालत तो इतनी बिगड़ी है कि वहां ५० पर सेप्ट से अधिक गलतियाँ हैं। उस में भिसेज यानी जौज : कर के जितनी लिखी है वह सब ऐसे ही गलत है। कोई पूछने नहीं जाता कि क्या बात है और सब ऐसे ही लिख दिया गया है। यही नहीं, अब उन में एब्रीवियेशन (Abbreviation) का भी प्रयोग किया गया है। इस तरह से मेरा नाम उस में अ० प्र० सिंह छपा है। मेरा नाम अवधेश प्रताप सिंह है और अ० से अवधेश और प्र० से प्रताप, इस तरह अ० प्र० सिंह लिखा गया है। इस तरह जनाब अब हिन्दी में भी इस तरह एब्रीवियेशन

का प्रयोग किया गया है जैसे कि अंग्रेज़ी में ए० पी० सिंह होता था उसी तरह अब हिन्दी में अ० प्र० सिंह होने लगा है। जब मैं ने इस के लिये कहा तो उन्होंने कहा कि सब ठीक कर दिया जायगा। अब कहते हैं कि मुन्सिफ साहब के यहां दरख्वास्त दीजिये। मैं अपने नाम से दरख्वास्त दे आया लेकिन इस पर भी करेक्शन स्लिप (Correotion Slip) में भी वही अ० प्र० सिंह कर के मेरा नाम छपा है। और मेरे पिता के नाम से तो 'सिंह' ही उड़ा दिया गया है। मैंने कई बार कहा लेकिन कोई सुनने वाला नहीं है। यह एफ़ी-शियन्सी है सेप्टूली एडमिनिस्टर्ड एरियाज़ की जिस के लिये हमारी गवर्नमेण्ट, सेप्टूल गवर्नमेण्ट, शान बतलाती है कि हम तो बहुत अच्छी तरह से तुम्हारे हित के लिये तुम को सेप्टूली एडमिनिस्टर्ड एरिया में लिये हुए हैं। ईश्वर ऐसे हित चिन्तन से हमारी रक्षा करें। हम तो यह चाहते हैं कि आप हमारी हितचिन्तकी न करें, हम लोगों को हमारे भाग्य पर छोड़ दें। हम लोग अपने आदमी चुन कर बिठा लेते तो हम को यह सब तकलीफ़ नहीं उठानी पड़ती। तो मैं डाक्टर अम्बेडकर का ध्यान इस ओर भी आकर्षित करना चाहता हूँ कि वह कृपा कर के एलेक्शन कमिश्नर (Election Commissioner) को आर्डर दे दें कि वह जा कर वहां की हालत देखें या यहां सेप्टर से कोई आदमी जांच करने के लिये चला जाये, कम से कम सेप्टूली एडमिनिस्टर्ड एरिया में तो चला जाये क्योंकि वहां के लिये तो सेप्टूल गवर्नमेण्ट रिसर्पासिबिल है, आप वहां चले तो मैं आप को दिखलाऊँ कि क्या दुर्दशा वहां मची हुई है। साहब, वहां तारीख़ दे दी गयी २३ दिसम्बर या २३ नवम्बर तारीख़ थी कि जिसे आबजेक्शन (objection) करना है वह करो। उस के लिये

[कैप्टिन ए० पी० सिंह]

आठवें नम्बर का कोई फ़ार्म है बताया गया कि उस फ़ार्म में आबजेशन करना होगा। अच्छा साहब अब वहाँ लेने गये कि आठवाँ नम्बर का फ़ार्म कहां है तो कहा कि प्रैस में है। तारीख वहाँ पर हो चुकी है और फ़ार्म अभी तक मिला नहीं, वह अभी छप ही रहा है। यह हालत है विन्ध्य प्रदेश की जो मैं बतला रहा हूँ। मुमकिन है कि यह हालत दूसरी जगह भी हो, लेकिन यह सब मेरा पर्सनल एक्सपीरियेन्स (personal experience) है जो मैं कह रहा हूँ। दूसरे किसी की कही हुई बात में नहीं कह रहा हूँ। अभी दूसरों की कही हुई बतलाऊँ तो और भी ग़ुब हो जाये। लेकिन मैं उसको नहीं बतलाना चाहता।

तो अब आप देखिये कि हमारे यहाँ पहले कांस्टीट्यूएण्ट असेम्बली (Constituent Assembly) के लिये एलेक्टोरल रोल बन पाये थे। वह इस लिये कि राजाओं ने हम लोगों को रिसपॉसिबिल गवर्नमेण्ट दे दी थी। एक बात यह भी देखिये कि राजाओं ने तो हम को रिसपॉसिबिल गवर्नमेण्ट दे दी, उन के समय में एडल्ट सफ़रेज़ पर एलेक्टोरल रोल बन गये, और उस के अग़धार पर एलेक्शन होने का इन्तज़ाम हो गया। लेकिन कांग्रेस गवर्नमेण्ट ने आ कर वह भी हमारा अधिकार छीन लिया। अब आप देखिये कि राजाओं के ज़माने से भी हमारी बदतर हालत कर दी। यह हालत है हमारी सेण्ट्रल गवर्नमेण्ट की और इन के रुपये पैसे की, क्योंकि यह नहीं सोचते हैं कि यह जो रुपया पैसा है उस से इस तरह पर हित नहीं हो सकता है, जैसे महात्मा गान्धी कहते थे कि हम ने अपनी मैण्टेलिटी (Mentality) नहीं बदली।

अच्छा तो अब मेरा वक्त हो चुका है, चण्टी बज गयी है। इस लिये मैं और कुछ

नहीं कहना चाहता। केवल यह कहना चाहता हूँ कि मैं मिस्टर कामत को सपोर्ट करता हूँ और आशा करता हूँ कि डाक्टर अम्बेडकर साहब भी उस को मान लेंगे क्यों कि उस को मानने में उन को कोई अग़पत्ति नहीं होनी चाहिये। वहाँ हम लोग इकट्ठा होंगे तो हम लोगों को भी सन्तोष हो जायेगा कि कम से कम गवर्नमेण्ट ने एक बात तो हमारी मान ली क्योंकि मालूम पड़ता है कि गवर्नमेण्ट ने इस बात का प्रण कर लिया है कि जो कुछ हम लोग, हम मेम्बर कहेंगे उस को वह नहीं मानेगी। हम लोगों की तो यह दुर्दशा कर दी है कि हम बोलें चाहे जितना लेकिन वोट के वक्त एज. (Ayes) ही बोलना पड़ता है। तो इस तरह तो हमारी आफ़त मची हुई है। हम तो बिल्कुल जैसा रघुवंश में है :

स्थितः स्थिता मुच्चलितः प्रयाताम्,
निषेदुषीमासनवधनधीरः।

जलाभिलाषी जलमाददानां

छायेव तां भूपतिरन्वगच्छत् ॥

जब गाय बैठ जाती थी तो राजा बैठ जाता था, जब गाय खड़ी हो जाती थी तो राजा भी खड़ा हो जाता था, यानी छाये-वताम् भूपतिरन्वगच्छत् तो हम तो छाया की तरह आपका अनुकरण कर रहे हैं। अगर आप कहें "नो" (no) तो हम भी कहें "नो" और आप कहें "यस" (yes) तो हम भी कहें "यस"। तो हमारी तो हालत ऐसी है। अगर आप यह बात मान लें तो हमें भी थोड़ा सन्तोष हो जायेगा कि आप ने एक बात तो हमारी मान ली।

अब घण्टी हो चुकी है, मेरा समय हो गया है। लेकिन मैं आशा करता हूँ कि अध्यक्ष महोदय मुझे भी बीच बीच में समय दे दिया करें तो यहाँ मुझे भी बोलने का समय मिल जाया करे जिस से मैं भी अपने विचारों को यहाँ प्रकट कर दिया करूँ।

(English translation of the above speech)

Captain A. P. Singh: Sir, in the first instance, I wish to thank you for having at last kindly allowed me an opportunity to speak after my having stood up a number of times. I come from Vindhya Pradesh which is included in Part C States. My friend, Shri Kamath, has just said something about Vindhya Pradesh for which I am thankful to him. He has drawn the attention of this House to the disabilities suffered by Vindhya Pradesh. Formerly, Vindhya Pradesh was included in Part B States and came to be listed under Part C States only a few days prior to the coming in force of the Constitution. A great deal of agitation took place there in that connection, so much so that the Government even had to resort to firing. In spite of a lot of opposition, however, this part of the country was included in Part C States. It was of course stated that the matter would soon be settled and that the existing conditions would not be allowed to continue for long. On a number of occasions we represented to the Home Minister, who is also the Minister of States, I mean Sardar Vallabhbhai Patel, and urged that we should be allowed a responsible government. He admitted the justice of our claim and said that the question was being considered. We were entertaining hopes that something was going to be done in that connection. Thereafter, people from all the Part C States waited in a deputation upon Sardar Vallabhbhai Patel who replied that something was going to be done about it at an early date. One regrets to say, however, that the reply given by the States Ministry in connection with Coorg only three or four days back was extremely disappointing. A proposal was submitted by the Coorg State Assembly to the effect that responsible government should be established there. My friend who represents that State in this House asked a question as to what action was being taken on it by the Government and the Government's reply was that it had been returned and that it was not proposed to consider the same. When he asked the reason for that attitude the reason given by the States Ministry was very strange. It was stated that there were two parties in that State which were engaged in mutual strife and that, for that reason, responsible government could not be set up there. When, however, he reiterated that on that particular issue they were all one and had unanimously resolved in favour of the establishment of responsible government there, it was stated by Rajaji, replying on

behalf of the States Ministry, that it was just possible they might be unanimous on that single issue but might at the same time be having other differences and, therefore, they could not be granted responsible government. There could hardly be any other democratic government in the world which might hold up the introduction of a responsible administration merely on that ground. There was a time when speeches used to be delivered from the Congress platform against the existence of the Centrally Administered Areas. At that time Mr. Gokhale and others who were members of the Assembly used to oppose even the existence of the Chief Commissioners' Provinces. They used to say, 'there should be no distinction'. I remember the time when even C.P. was a Chief Commissioner's Province. It used to be said then that all the Provinces should all be Governor's Provinces and it was as a result of that agitation that a provision to that effect was made under the Montague Chelmsford Scheme. Today the Congress Government, which is the successor of that other Government, is inheriting that very thing. Today the Congress Government is causing people to live in centrally administered areas, especially such parts of the country as have not, in any case, been behind any other in the matter of Congress work. I should draw your attention to just one part of Vindhya Pradesh, the one that finds mention even in the Report of the Congress, the one submitted by Doctor Pattabhi Sitaramayya, as also in the reports of other Provinces. At that time Vindhya Pradesh was represented in the Congress by the Baghel Khand District. Its Congress Committee was affiliated to the Congress Committee of the Mahakoshal Province. In the Report relating to the 1930-32 struggle it is recorded that the total number of persons who went to jail from the 14 (then) British Indian Districts did not come up to the number that courted imprisonment from Vindhya Pradesh alone. Not only that, for we also had a larger number of martyrs. The same thing happened at the time of the 1942-44 agitation. People from our side went to the then British Indian Provinces and came to be appointed, members of the Working Committees and Presidents of the Provincial Congress Committees. But today the same part of the country is being treated in such a manner as if it were even worse than a tribal area. When we go back home our people say to us, "Why are you sticking on there? Why don't you resign and have done with it?" We who were never found wanting in the field of Congress work are now being

[Captain A. P. Singh]

reduced to such straits that we are to be kept in Part "C" while other Provinces are placed in Parts 'A' and 'B'. In this way we are being imparted a sort of inferiority complex. I fail to understand why this is being done.

After the reply given by Rajaji on behalf of Sardar Vallabhbhai Patel here comes now Dr. Ambedkar with the plea that since there is no longer any chance of responsible Government being set up there, he has been obliged to bring forth a bill of this kind. This has caused me a still greater surprise. All this time I had felt reassured by the statement of Sardar Vallabhbhai Patel to the effect that the question would be considered, but now even that consideration is finished. When Bharat heard of the death of his father he was much grieved but when, subsequently, he heard that Shri Ram Chandra had gone into exile he became oblivious of his father's death because he was plunged in a still greater sorrow. In the same way I was intrigued by the statement made today by Dr. Ambedkar and wondered what might next be in store for us. It is said there is a strife going on there. Now that kind of strife is going on everywhere. There is strife in the Madras Presidency, in U. P. too some people have seceded and fallen away from the party; there is strife in Bengal; in fact there is strife every where. Then, have they been divested of responsible Government on that score? Let it be granted that there are dissensions in Vindhya Pradesh too. But is that going to prevent the grant of responsible Government to us? I am unable to follow that argument. Before that it used to be argued, 'Your financial position is such that you cannot run it'. Sir, I wish to submit something in this connection as I had had something to do with the Ministry there. Previously that State was meeting its expenditure fairly well but directives were frequently received from the States Ministry, such as, 'Have such and such officer on a salary of one thousand', 'Have such and such officer on a salary of two thousand', 'There should be such and such type of police officer on a salary of two thousand', 'There should be another post of Commissioner carrying a salary of two thousand', and that 'There should be a Divisional Commissioner'. I was, however, not complying with those directives. My contention was that when our Prime Minister was drawing a salary of five hundred why should we appoint people on higher salaries. Money alone will not make a man honest. Honesty is a virtue

apart. It has nothing to do with money.

Babu Ramnarayan Singh (Bihar): Quite right.

Capt. A. P. Singh: If we think honesty depends on money alone we are practising prostitution of knowledge, we are out to sell it. That was something I was not prepared to do. Again and again I wrote to the States Ministry that they should not force me to pay higher salaries to officers. They replied that unless that was done there would be no efficiency. Now, look at the efficiency aspect. Formerly, in the days of the Ministry, whenever some dacoity took place communications were frequently received, saying, 'You are not maintaining law and order properly'. We used to quote figures and point out that there was a larger number of dacoities taking place in the neighbouring Provinces of U. P. and C. P. and yet they were supposed to be efficient. But to this we received no reply. At any rate, we put a stop to dacoities. All the dacoits were placed behind the bars and there was almost an end to dacoities. Then the popular ministry was removed. And what is happening now? Devi Singh dacoit, was caught by us and shut up in jail, but he and his gang have since escaped and now-a-days daylight robberies are the order of the day in Vindhya Pradesh. Devi Singh has proclaimed that only such dacoities as occur during the daytime should be ascribed to him because he does not commit a dacoity after sunset and before dawn. Such are the conditions prevailing there. Informers are punished by the cutting of the nose, their eyes are taken out, their hands are cut off and even policemen fall victims to their bullets. This is the kind of efficiency obtaining there at present, and all this in spite of the 'two thousand a month' officers. Formerly there was just one I.G.P. getting only five hundred rupees a month and he had put a stop to dacoities there. I shall not make any misstatement. If the Parliament so desires it can appoint a committee to enquire into the matter. I shall not say anything which I cannot prove. Now such are the conditions prevailing there. Dacoities are taking place in broad daylight and the I.G.P. sent there on two thousand rupees a month as also the I.C.S. and other officers assigned to that State are unable to check them. Representations are made to the government time and again but, nothing is being done. Formerly we had to incur an extra expenditure of ten to fifteen thousand rupees only.

Mr. Deputy-Speaker: Are we going into the details of the administration.

of the State? We should confine ourselves to the provisions of the Bill.

Capt. A. P. Singh: What I mean to say is that we had been entertaining the hope of having responsible government set up in Vindhya Pradesh, all the more fortified by the fact that conditions there have gone from bad to worse. But that hope has vanished.

Now I come to this Bill. In that connection, all that I have to say to Dr. Ambedkar, as already suggested by another friend, is that an electoral college should be set up there as is proposed to be done in the case of Parts 'A' and 'B' States. There that electoral college is to be known as the legislature. In our case, the name of a legislature may not be given but an electoral college should be set up on the basis of adult suffrage. A body of that kind should be elected in every unit. I was about to send in my amendment in this connection but a whip has been received that no amendment should be put in and accordingly I have not done it. In the amendment which I had proposed to send I had made the suggestion that an electoral college consisting of seventy persons should be set up. Thus, one man would be elected for every fifty thousand on the basis of adult franchise and these 70 men would elect 4 men for the Upper House from Vindhya Pradesh by the system of proportional representation. I think what is going to be done is gross injustice and quite contrary to our Constitution. I do not want this thing to be done in contravention of the Constitution. I would even go so far as to say that this very Bill is opposed to the Constitution because people belonging to Parts 'A' and 'B' States have been supposed to be more democratic whereas those living in Part 'C' States have been regarded as undemocratic and backward. Discrimination is thus being made between man and man. Under the circumstances I feel that we should accept the suggestion made by Shri Kamath. I support Shri Kamath's suggestion viz., that a committee should be formed to determine the mode of formation of the electoral college.

Secondly, with regard to the electoral roll. I have to say that the one for Vindhya Pradesh is so badly drawn up that it contains more than 50 per cent. errors. All entries therein which have the title 'Mrs.' are wrong. There have been no enquiries and it is a spurious document altogether. Not only that but abbreviations have also been used therein. For instance, my name has been printed as A. P. Singh. My name is Awadesh Pratap Singh. In that entry 'A' is supposed to stand

for Awadesh and 'P' for Pratap and in this way the name is given as 'A. P. Singh.' Abbreviations have thus come to be used in Hindi in the same way as in the case of English so that 'अ० प० सिंह' has come to be the Hindi counterpart of 'A. P. Singh' in English. When I drew their attention to this they replied that it would be rectified. Now we are asked to make an application to the Munsiff. I have submitted my application but in spite of all that my name is printed in the correction slip as A. P. Singh. In the case of my father's name the part 'Singh' has been removed altogether. I have represented about it a number of times but nobody pays any heed. Such is the efficiency of the Centrally Administered Areas about which our Government, the Central Government, is so vainglorious and tells us that it is out of generosity and in our own interest that we are being treated thus. God save us from that kind of well-wishing. We would rather that the Centre ceased bothering about our interests and left us to our fate. Had we selected and appointed our own men we would not have had to suffer all this. Hence, I wish to draw the attention of Dr. Ambedkar to this thing as well and to request him to order the Elections Commissioner to go and examine the conditions prevailing there or someone from the Centre might be deputed to go there for inspection. This should be done at least in the case of the Centrally administered Areas for the Central Government is responsible for their administration. If you were to go there Sir, I would show you how awful are the conditions prevailing there. For instance, the 23rd of November or December was fixed as the last date for the filing of objections. It was also ordered that the objections should be made in form No. 8. When, however, people went to obtain that form they were told it was in press. The date is about to expire but the form is not available and is said to be still in print. Such, then, are the conditions prevailing in Vindhya Pradesh. It is just possible that similar conditions might also be prevailing elsewhere but what I have stated is the result of my personal experience. I am not giving secondhand information. You would be shocked if I were to tell you things which I have heard from others, but I had better not do so.

Now, we had just recently had electoral rolls prepared for our Constituent Assembly. This was done because the Rulers had already conceded our right to have a responsible government. Just consider. The Rulers granted us responsible government,

[Capt. A. P. Singh]

electoral rolls were prepared during their regime on the basis of adult franchise and arrangements for the holding of elections were made on the strength of them. But here the Congress Government steps in and divests us of even that right of ours. Thus they have reduced us to a status which is even inferior to the one we enjoyed during the princely regime. Such is the attitude of our Central Government and such is their love of money. They fail to appreciate the fact that money alone shall not carry the day. As Mahatma Gandhi used to say, we have not yet been able to change our mentality.

My time is up and so I cannot say anything more. All that I wish to submit is that I support the proposal made by Shri Kamath and hope Dr. Ambedkar would also agree to it for he should have no objection to its acceptance. This would give us some little consolation that the Government have accepted at least one of our proposals because it appears that the Government have taken a kind of resolution not to agree to anything that we, members, might happen to suggest. We have been reduced to such a state of helplessness that how-much-so-ever we might speak we have got to say 'aye' at the time of voting. Such is our unenviable position. As has been said in Reghuvansh: Sthita sthitāmuchchalitā prayātām, Nishedushmāsanvandhdirā, Jalā bhilāshī jalmāddānām, Chhāye tām bhupatī-ranvagachhat.

'When the cow sat down the Raja sat down, when the cow stood up the Raja also stood up and followed it like a shadow'. In the same way, we too are following the Government like a shadow. If the Government say 'no' we say 'no' after them and when they say 'yes' we have also to say 'yes' likewise. Hence, if the Government agree to this proposal we would have the consolation of having at least one of our proposals accepted by the Government.

The bell rings. My time is up. I hope the hon. Speaker would be good enough to allow me, occasionally, an opportunity to speak and to express my views here.

Shri Tyagi: After this damaging speech, I suggest that one Member of the Treasury Bench may speak and the House may be informed as to whether the conditions in Vindhya Pradesh are such as those which my hon. friend has described.

Mr. Deputy-Speaker: I understand the concern of the House for the welfare of Vindhya Pradesh amongst other Pradeshas, but this is not a general discussion on the administration of Vindhya Pradesh or the Centrally administered areas. Let us confine ourselves to the clauses in the Bill.

पंडित ठाकुर दास भागवत: माननीय डिप्टी स्पीकर साहब, मैं आप का जवाबदा बक्त नहीं लेना चाहता और आप ने जो एडवाइस (Advice) दी है उस को स्ट्रिक्टली फॉलो (strictly follow) करूंगा ताकि जो और मेम्बर (Member) और स्टेट्स (States) से आये हैं उन को भी मौका बोलने का मिल सके। लेकिन मुझे सिर्फ दो तीन बातें अर्ज करनी हैं। पहली बात जो मैं अर्ज करना चाहता हूँ वह यह है कि दुनिया भर के फ़ेडरल कांस्टीट्यूशन्स (Federal Constitutions) में जो स्टेट गवर्नमेंट्स (State Governments) फ़ेडरेशन (Federation) में शामिल होती हैं उन को हक है कि वह फ़ेडरल चैम्बर (Federal Chamber) में अपर चैम्बर (Upper Chamber) में अपने रिप्रेजेंटेटिव (Representative) भेज सकें। हमारे सामने अमेरिका की मिसाल है जो सब से बड़ी मिसाल है। अमेरिका के अपर चैम्बर में सब जगहों के डेप्युटीज़ (Deputies) सब स्टेट्स के डेप्युटीज़ आते हैं और ऐसी एक भी स्टेट नहीं है जिसका डेप्युटी वहां नहीं आता हो। और इतना ही नहीं बल्कि हर एक स्टेट के दो डेप्युटीज़ उस में आते हैं, चाहे स्टेट कितनी ही बड़ी हो या कितनी ही छोटी हो। उस के सिर्फ दो डेप्युटी आते हैं, क्यों कि हर एक स्टेट के प्राब्लेम (problem) से वह डेप्युटी ख़ूबी वाकिफ़ होते हैं और इस का नाम भी तो स्टेट्स काउन्सिल (States

Council) है। तो स्टेट्स के यह रिप्रेजेंटेटिव होते हैं।

अब यह बात मेरे दिमाग में कभी नहीं आ सकती कि कोई स्टेट हिन्दुस्तान में ऐसी रह जाये कि किसी भी वक्त किसी स्टेट का रिप्रेजेंटेटिव अपर चैम्बर में न हो। लेकिन इस बिल में ऐसा वक्त भी आता है कि जिसमें कई स्टेट्स को कुछ वक्त तक कोई भी रिप्रेजेंटेशन (Representation) नहीं मिलेगा। मैं कहता हूँ कि यह सब्बत अन्याय की बात है। जनाब वाला को मालूम है कि पाकिस्तान में यही झगड़ा चल रहा है। यह हम ने पहले तय कर लिया है कि हम सब स्टेट्स को एक सा रिप्रेजेंटेशन नहीं देंगे। मैं इस सवाल को नहीं खोलना चाहता। हमारे यहां ऐसी स्टेट्स नहीं हैं जैसी कि अमेरिका में थीं। पाकिस्तान में तो और ही सवाल है लेकिन हम ने जो सिस्टम (System) रखा है, वह हम ने पोपुलेशन बेसिस (population basis) पर रखा है। मैं इस के बरखिलाफ़ नहीं कहना चाहता लेकिन मैं इस को हरगिज़ नहीं मान सकता कि किसी वक्त कोई स्टेट ऐसी रह जाये कि जिस का कोई रिप्रेजेंटेशन ही न हो। जनाब वाला, जिस स्टेट के बारे में मैं अर्ज कर रहा हूँ उस की हालत तो इस से भी खराब है। पेश्वर इस के कि मैं उस स्टेट के खास वाकियात की तरफ़ तबवज़ह दिलाऊँ मैं यह अर्ज करना चाहता हूँ कि इस कांस्टीट्यूशन में यह उसूल हम ने माना है कि कोई डिसक्रिमिनेशन (Discrimination) किसी सिटीज़न (Citizen) के खिलाफ़ नहीं होगा। मैं निहायत अदब से, डाक्टर अम्बेडकर साहब से, जो इस कांस्टीट्यूशन के बनाने वाले हैं, पूछना चाहता हूँ कि मैं दफ़ा १४ को और दफ़ा १५ को, इन दोनों दफ़ाओं को कहाँ ले

जाऊँ। मुझ को बतलाइये कि जब आप एक सिटीज़न और एक सिटीज़न में तमीज़ नहीं करते क्या आप एक स्टेट में और एक स्टेट में तमीज़ कर सकते हैं, क्या आप को यह मालूम है कि कितनी स्टेट्स ऐसी हैं जिन्हें कोई रिप्रेजेंटेशन नहीं है, यहां पर ऐसी स्टेट्स हैं जिन के साथ डिस्क्रीमिनेशन किया गया है और उन को रिप्रेजेंटेशन नहीं मिला है। यह फण्डामेंटल क्वेश्चन (Fundamental Question) है, और कोई इस पर किसी क्रिस्म का कम्प्रोमाईज़ (compromise) नहीं हो सकता किसी क्रिस्म का ऐसा नुकते ख्याल नहीं पेश किया जा सकता जो किसी आदमी को मुतमईन कर सके। मैं अदब से अर्ज करूंगा कि इस बिल के अन्दर फण्डामेंटल राईट्स (Fundamental Rights) का वायलेचन (violation) है और जब तक उस को दुस्त नहीं किया जाता तब तक यह बिल पास होने के क़ाबिल नहीं है। मेरे दोस्त पण्डित मुकुट बिहारी लाल भागवत ने एक सजेशन हाउस (suggestion House) में अमी दिया है और मैं समझता हूँ कि वह माने जाने के क़ाबिल है। मैं ने भी देखा है कि फ़ोर्ब शेड्यूल (Fourth Schedule) में २०५ मेम्बर मौजूद हैं और हाउस २३८ मेम्बर तक कर सकता है। जैसे डाक्टर अम्बेडकर साहब ने हाउस आफ़ दी पीपुल (House of the People) में स्टेट्स को एक एक मेम्बर दे दिया और यह बात दुस्त है कि हर एक स्टेट को जब तक वहां ऐसी हालत है, आप एक एक मेम्बर दे दीजिये और कम से कम एक दो मेम्बर जब तक उन का न होगा, उन के साथ बेइन्साफ़ी होगी। डाक्टर अम्बेडकर साहब की स्पीच (speech) जो सुनी, उस में उन्होंने अजमेर और कुर्ग के बारे में बातें बतलाई

[पंडित ठाकुर दास भार्गव]

कुर्ग और अजमेर की इकोनामिक प्राबलेम्स (Economic Problems) दूसरी हैं, और उन की कल्चरल प्राबलेम्स (Cultural Problems) दूसरी हैं, तो मैं पूछना चाहता हूँ कि अजमेर का नुमाइन्दा कुर्ग को कैसे रिप्रेजेंट कर सकेगा और कुर्ग का नुमाइन्दा अजमेर को कैसे रिप्रेजेंट कर सकेगा। मैं अदब से अर्ज करना चाहता हूँ कि इस में मौजूदा बिल में जो एक भारी कांस्टीट्यूशनल औबजेक्शन (Constitutional Objection) है, वह किसी तरह से नहीं हट सकता जब तक कि आप के जो प्रावीजन्स (Provisions) हैं उन के अन्दर यह प्रावीजन न कर दें कि हर एक स्टेट का रिप्रेजेंटेशन होगा। मैं समझ सकता हूँ कि जिन स्टेट्स का रिप्रेजेंटेशन आपने नौमिनेशन (Nomination) के जरिये से रखा है, तो आप यह कह सकते हैं कि उन का प्रतिनिधित्व तो मौजूद है। लेकिन जिन स्टेट्स का नौमिनेशन भी आप ने नहीं रखा है, उन के साथ सख्त बेइन्साफ़ी होगी कि उन का कतई किसी तरह का रिप्रेजेंटेशन नहीं होगा। हमारे सेक्शन ८० में यह लिखा हुआ है कि इतने आदमी रिप्रेजेंटेटिव्स आफ़ दी स्टेट (Representatives of the State) होंगे और उन में एक आदमी रिप्रेजेंटेटिव आफ़ वन स्टेट (Representative of one State) होगा और चूंकि उस में कई स्टेट्स का प्रतिनिधित्व नहीं होगा, इस लिये वह कांस्टीट्यूशन (Constitution) का हिस्सा वैलिड (valid) नहीं होगा। और कुछ स्टेट्स बिल्कुल अनरिप्रेजेंटेटेड (Unrepresented) चली जायें, यह कहां तक ठीक है जिस को कि आप को सुझना है। बिलासपुर और हिमाचल प्रदेश के वास्ते आप ने एक मेम्बर दिया है और मनीपुर

के बारे में अभी यह फ़ैसला किया गया कि वहां नौमिनेशन होगा गवर्नमेण्ट आफ़ दी डे (Government of the day) के द्वारा जिस पर कि पूरी जिम्मेदारी है और जिस आदमी को वह मुनासिब समझे, नौमिनेट (nominate) करे। नौमिनेशन के खिलाफ़ हम ने श्री के० टी० शाह की तक्रार सुनी जिस में बहुत वजन है, लेकिन ताहम इतना तो है कि आप वहां किसी हद तक कुछ देते तो हैं, माना कि वह अनफ़ेयर (unfair) है। और गवर्नमेण्ट जिसे चाहे नौमिनेट कर दे। मैं इस का बहुत मुखा-लिफ़ हूँ, लेकिन ताहम चार वर्ष बाद आप रिप्रेजेंटेशन तो देंगे कि स्टेट्स अपने आदमियों को भेजें, लेकिन बिलासपुर जैसी रियासत का क्या किया जाये जिस की आबादी एक लाख तीस हजार है और हिमाचल प्रदेश की नौ लाख की आबादी है। और इस सूरत में उन को तो भिला एक ही है, लेकिन उन की ख़बान में उन की कल्चर (Culture) में, उन के कस्टम्स (Customs) में उतना ही फ़र्क है, जितना शायद कुर्ग और अजमेर के अन्दर होगा। इतने बड़े इलाक़े में वह फैला हुआ है, मीलों तक वह फैला हुआ है और उस के अन्दर उन लोगों में इतना फ़र्क है कि एक शस्स दोनों जगहों का प्रतिनिधित्व नहीं कर सकता। बिलासपुर का रिप्रेजेंटेशन भी नहीं हो पायेगा, क्यों कि वहां हिमाचल के मुकाबले बहुत कम आबादी है। इस के सिवा बिलासपुर में मैट्रीकुलेट भी नहीं हैं और वहां पर पढ़े लिखे बहुत थोड़े हैं। दर अस्ल इस प्रावीजन (Provision) का कायम रखना इस ख्याल से है कि बिलासपुर से कोई रिप्रेजेंटेटिव कई सदियों तक नहीं मिलेगा।

डाक्टर अम्बेडकर साहब ने जो दो बातें बताई और मेरी धिकायत उन से

सुनने के बाद किसी हद तक कम हो जाती है। डाक्टर अम्बेडकर साहब ने फ़रमाया कि यह जो बिल है यह आने वाले इलेक्शन (election) के वास्ते है, दूसरे इलेक्शन पर उस का कोई असर नहीं रहेगा। इस वजह से मुझे तसल्ली हुई कि यह सदा की रहने वाली चीज नहीं है। दूसरी बात यह कि इलेक्शन होने के पहले बिलासपुर और हिमाचल प्रदेश को एक बना दिया जाये। यह मैं जानता हूँ कि बिलासपुर वाले तो चाहते हैं कि वह पंजाब से मिल जायें और अगर उन को पंजाब से मिला दिया जाये, तो उन की प्रॉब्लम (Problem) खत्म हो जायेगी और अगर हिमाचल प्रदेश से मिला दें, तो भी यह प्रॉब्लम खत्म हो जाती है। लेकिन डाक्टर अम्बेडकर साहब की यह भविष्यवाणी आगे चल कर सब साबित होती है या नहीं, यह कौन जान सकता है। दिल्ली के वास्ते और इन स्टेट्स के वास्ते डाक्टर पट्टाभि के अण्डर (under) एक बाडी (body) बनाई गई और उस कमेटी ने उन रियासतों और दिल्ली के बारे में एक रिपोर्ट सबमिट (submit) कर दी। हम उस वक्त समझते थे कि बड़ा अच्छा सॉल्यूशन (solution) सारी स्टेट्स का चीफ कमिश्नर प्राविन्सेज (Chief Commissioners' Provinces) का सुझाया गया है और वह सब ठीक हो जायेगा। उस सारी रिपोर्ट पर पानी फिर गया और आज तक कोई यह देखने की परवाह नहीं करता कि उन स्टेट्स में क्या हो रहा है। विन्ध्य प्रदेश, हिमाचल प्रदेश और दूसरी 'सी' स्टेट्स के अन्दर इतनी बुरी हालत है कि हमें उस को बयान करते शर्म आती है यह सोच कर कि वह भी इस मुल्क का हिस्सा है और उन जगहों पर ऐसी चीजें हो रही हैं। ऐसी ऑटोक्रेसी (autocracy) चल रही है जिसका कोई ठिकाना नहीं है। जब आपने

इन शिकायतों को सुना है तो आप मुझे कैसे यक़ीन दिलाने हैं कि बिलासपुर का मामला खत्म हो जायेगा। मुझे तो डर है कि यह बिलासपुर का मामला शायद दस वर्ष तक भी हल न हो पाये। इस लिये मैं अदब से आप की खिदमत में अर्ज करूंगा कि आप अपने बिल को फिर से रिवाइज (revise) करें। मुझे कोई ऐतराज नहीं है अगर बिलासपुर के मामले में और वहां की मौजूदा हालत पर उन को क्या दिया जाये, इस पर शौर किया जाये, आयन्दा इस का क्या होगा और आप उस को क्या देने वाले हैं। जहां तक बिलासपुर का सवाल है, मैं अदब से अर्ज करूंगा कि खुदा के वास्ते इस का रिप्रजेन्टेशन नोमिनेशन के जरिये से कर दीजिये। मैं कोई हिमाचल प्रदेश के इलेक्शन राईट (Election Right) के खिलाफ़ हूँ, ऐसा नहीं है। लेकिन मैं तो चाहता हूँ कि जहां तक बिलासपुर का सवाल है या तो उस को त्रिपुरा और मनीपुर की तरह से कर दीजिये और नोमिनेशन कर दीजिये वहां से किसी आदमी का, और हिमाचल प्रदेश इलेक्शन के लिये अलहदा यूनिट (unit) रहने दीजिये कि वह इलेक्शन के जरिये से अपना रिप्रजेन्टिब भेजे। मैं डाक्टर अम्बेडकर साहब की तबज्जह इस तरफ़ दिलाना चाहता हूँ या तो मेहरबानी कर के बिलासपुर को आप कोई रिप्रजेन्टेशन दे दीजिये या इनडायरेक्ट (indirect) तरीक़े से उस को प्रतिनिधित्व दे दीजिये। लेकिन मेहरबानी कर के उस को दोनों चीजों से महरूम न कीजिये। यह वह क्लास है जो आप के रहम से, आपकी इनायत से बिल्कुल मुबर्रा है। उस को कुछ नहीं मिला। उस का रिप्रजेन्टेशन सदियों तक नहीं आने वाला है। मैं अदब से अर्ज करूंगा कि बिलासपुर का हाल ऐसा है जिस के लिये न यहां कुछ कोई कहने वाला है और

[पंडित ठाकुर दास भार्गव]

न सुनने वाला है। वह बहुत रहम के क्राबिल है, मैं अर्ज करना चाहता हूँ कि उस को राइट्स (Rights) दे दिये जायें, लेकिन इस तरह से न दिये जायें कि आप तो समझें कि दे दिया, लेकिन वह कहें कि हमें कुछ भी नहीं मिला।

(English translation of the above speech)

Pandit Thakur Das Bhargava: Sir, I do not want to take much of your time and would like to follow your advice strictly so that the Members from other States as well may get an opportunity to speak. I have to say one or two things only. One thing is that in all the Federal Constitutions of the world all the State Governments which join the Federation have a right to send their representatives to the Federal Chamber or the Upper Chamber. We have the example of America before us, which is the greatest example of all. Deputies come from all the States come to the Upper Chamber and there is not a single State which has not got a Deputy there. Not only this but each State sends two Deputies, irrespective of the fact how large or small the State might be. Only two Deputies come from every State because they are expected to be quite familiar with problems of their own respective States, that is why it is called States' Council and naturally they are the representatives of the States.

Now I cannot conceive of it that at any time any State in India should be without any representative in the Upper Chamber. But this Bill envisages a time when several States will have no representation for sometime. I submit that this is sheer injustice. Sir, you know that Pakistan as well is facing a similar issue. We have already decided that similar representation would not be given to all the States. I do not want to take up this issue. We have no such States in India as there were in America, and in the same way Pakistan's question is altogether a different one. We have laid down our system on the basis of population. I do not want to speak anything against it. But I can never agree to the fact that at any time any State may remain without representation. Sir, the conditions prevailing in the State to which I am referring are even worse than this. Before drawing your attention to the real

situation of that State I beg to submit that we have agreed upon this principle in our Constitution that no discrimination would be made against any citizen. I beg to ask from Dr. Ambedkar, who has drafted this Constitution, as to what should I do about sections 14 and 15 of the Constitution. When no discrimination is made between citizen and citizen how can a discrimination be made between State and State. Are the Government aware of the fact that there are many a State here which has got no representation. Discrimination has been made against them and they have not been given any representation. This is a fundamental question and there can be no compromise on it. No such point of view can be put forward which could satisfy anybody. I beg to submit that there is violation of Fundamental Rights in this Bill, and unless it is corrected it is not worth passing. My friend Pandit Mukat Bihari Lal Bhargava gave a suggestion just now in the House and I am of the opinion that it is worth accepting. I have also seen that in the Fourth Schedule, there is a provision of 200 and 205 Members, and the House could raise its number upto 238. Dr. Ambedkar has allotted one seat to every State in the House of the People, and this was quite in the fitness of things that every State should be allowed to send one member at least till the existing conditions continue to be there, and it would be unfair to them if they were not allowed to send at least two Members to represent them there. Dr. Ambedkar has made mention of Ajmer and Coorg in his speech. The economic as well as the cultural problems of Coorg are different from those of Ajmer. Under these conditions I would like to ask as to how the representative from Ajmer can represent Coorg and vice versa. I beg to submit that the grave constitutional objection to the existing Bill cannot be removed unless this provision is not made therein that every State shall have representation. About the States which will be represented by nominated members it can be said that they have at least their representation. But for the States which are deprived of the privilege of nomination even, it would be great injustice to them if they are not given any sort of representation. Section 80 of our Constitution outlines that so many persons would be the representatives of the States and that among them one person would be representative of one State, and as several States will have no representation then that part of our Constitution will not be valid. Many of the States would go quite unrepresented, how far this is

fair the Government have to think over it. One seat has been allotted for Himachal Pradesh and Bilaspur, and with regard to Manipur it has been decided just now that a nomination will be made through the Government of the day, which will have the full responsibility and which will nominate any person whom they think suitable. We have heard Shri K. T. Shah's speech against nomination system and it carried sufficient weight. But nevertheless something has been given to them to some extent, although it is true that it is unfair that Government should nominate any person on their own will. I am very much against it. However these States have been given the right to send their own representatives to represent them after a period of four years. But what about the States like Bilaspur which has a population of one lakh and thirty thousand only as against nine lakh of Himachal Pradesh. They have been allotted one seat only but the difference between their language, culture and customs is perhaps as great as that between Coorg and Ajmer. It is stretched over a wide area, and the difference between the people of this area is to such an extent that one person cannot represent both the places. Bilaspur will not be represented because its population is far less than that of Himachal Pradesh and besides that Bilaspur has a very small number of literate persons, only few of them being matriculates. In fact adoption of this proposal would mean that no representative will come from Bilaspur for several centuries.

My complaints have decreased after hearing the speech of Dr. Ambedkar. He said that the Bill was meant for the coming elections only, it would have no bearing on the next elections. It was a source of great satisfaction to me that it was not an everlasting thing. The second thing is that Bilaspur and Himachal Pradesh should be integrated with each other before the elections. I am aware of the fact that the people of Bilaspur want that it should be merged with the Punjab, and if it is merged with the Punjab, their problem ends there, but a result will be achieved even if it is merged with Himachal Pradesh. But who knows whether the prophecy of Dr. Ambedkar would come out true in future or not. A body was set up for Delhi and these States under the Chairmanship of Dr. Pattabhi. The Committee submitted its Report with regard to Delhi and the other States. At that time we had thought that a very good solution had been suggested for all these Chief Commissioners' Provinces and now everything would be set right.

But the whole report was put in cold storage, and nobody up till now has cared to look as to what is happening in these States. Conditions in Vindhya Pradesh, Himachal Pradesh and other such States are so distressing that one feels ashamed to relate them, thinking that these areas too are the parts of this country and such things are happening there. Such an autocracy is in full swing there which knows no bounds. When the Government is aware of all these complaints how do they assure me that the question of Bilaspur will be solved. I am afraid that the case of Bilaspur may not be settled perhaps for ten years. Therefore I beg to request the Government to revise the Bill once again. I have no objection if the case of Bilaspur is taken up and a decision made as to what it should get in the existing conditions and what would be its future status. So far as the question of Bilaspur is concerned for God's sake give it a representation through nomination. It is not that I am in any way against the election rights of Himachal Pradesh, but I want that Bilaspur should be lined with Tripura and Manipur, and some person should be nominated from that area. Let Himachal Pradesh remain a separate unit for election purposes so that it may be able to send its representative through election. I would like to draw the attention of Dr. Ambedkar to my request that Bilaspur should be given some sort of representation, never mind if it is given indirectly. But it should not be deprived of both the things. This is the class which has been free of all mercy and privileges. It has received nothing. It will not have any representation for centuries to come. I beg to submit that the conditions prevailing in Bilaspur are such that there is none to speak for them nor is there anybody to listen to them. They deserved to be pitied and I request that their rights should be given to them. But they should not be given their rights in such a manner that on one hand the Government may think that something has been given to them while on the other they may complain and say that they have received nothing.

Dr. M. C. Reddy (Hyderabad): I rise to support this Bill which is very simple and which seeks to make provision for some of the details in respect of the elections. Though this Bill is very simple, still it deals with the elections which are going to be a very huge affair, where over 18 crores of people will be taken as voters and they will exercise their right and elect Members to the legislatures, both in the states and also in the Centre—the Upper and Lower Chambers. It is

[Dr. M. C. Reddy]

quite right that provisions for elections to the Upper Chamber from Part C States have to be made and this Bill seeks to make that provision. But I fail to understand why this simple provision was not made when the original Bill—the Representation of the People Act—was passed during the last session in April. I understand that the Ordinance of October, 1950 has also to be repealed and then it has to be promulgated in this way.

While referring to the Ordinance the hon. the Law Minister has rightly regretted about the postponement of the elections. The postponement of elections has been regretted all over the country, and on this occasion let me take your permission to express that it is not only certain people who stand in opposition that have regretted it but all those people—all these vast numbers of people—who support this Government in its entirety and the organisation which guides this Government, also regret the postponement of the elections. However it was not possible and the elections had to be postponed, and the Ordinance of October has to be replaced by this Bill.

Coming to the details of this Bill I have certain points to mention. In the case of Manipur and Tripura it has been said that because it is a backward area or a tribal area the President has to nominate a candidate from these two States. I submit that I entirely agree with my hon. friend Mr. Kamath, that according to article 80 of the Constitution there cannot be more than twelve nominated Members in the Upper Chamber. As such this nomination could only be in contravention of that article, and this would be the thirteenth nominated candidate, which should not be so.

Another thing I want to submit is that this kind of argument that Manipur is a backward area or Tripura is a tribal area would not be quite reasonable in this sense. If really it is a backward area—as it is a centrally administered area—I appeal to Government that it should raise its standard and when the voters' list is being prepared on the basis of adult franchise, the local bodies could be constituted in January or February or March, or, if that is not possible, even in April and this qualifying date could be extended to April or even later than that, and provision could be made for their electing the candidate instead of having this kind of nomination.

I have also to state another thing with respect to these Part C States. We have been painfully hearing the position about Vindhya Pradesh about which I would not like to refer any more. But I am compelled to say that the doing away with this kind of discrimination between Part B States, Part A States and Part C States is overdue, and it should be done away with as soon as possible. I am regretfully aware of the fact that a lot of limitations have been imposed by my hon. friend Pandit Balkrishna Sharma raising a point of order for nothing, rather too prematurely, and so many rulings and interventions have been made. Otherwise I would have liked to say more about Hyderabad which is neither a Part C, nor Part A State. It is worse than everything. If we had really an occasion to go into detail over the administration of that State, I would have claimed the attention of this House, the sympathy of this House, and also I would have been able to draw the attention of Government to do certain things in a right way and in a right spirit. It has been said that in Part A, Part B and Part C States there have been lots of difficulties, which have been expressed by hon. Members. Certainly it is a matter of provincial feeling, a matter of local patriotism, all these things certainly come in the way. I would not like to indulge in any of the remarks or the details or the controversies that could conceivably be imagined in regard to linguistic provinces or the merging of certain States. I have heard with great pleasure and admiration, I should say, my hon. friend Pandit Bhargava from Ajmer who has agreed to the merger of his State with any adjoining Province. I can assure on the floor of this House that there are a number of people who are prepared to see in the larger interests of the country a merging of their States, small areas which have become unwieldy tentacles—the centrally administered areas—and all such. Therefore, I would appeal to Government that an occasion has arisen when we are to perform such a huge experiment with 18 crores of people—down-trodden, poor and ignorant going to the polls. Let us not do it in this way but in a comprehensive, systematic and more methodical way. And, if possible, I would appeal to Government to take up the reorganisation of the Provinces in a correct and practical way, taking into consideration the aspirations, the wishes and the desire of the people at large. There may be linguistic or other interests. Let them be taken into consideration. I would not really

like, nor I hope any of the Members of Government would like, the remarks that have been coming from the Vindhya Pradesh Member. They are really undignified and unbecoming of the greatness of the House. It is not by compulsion we want to rule or conduct elections. It is by complete co-operation, unanimous co-operation and willing co-operation. Because, I visualize the great magnitude of the problems and the seriousness of the problems—not only international problems, I am not worried about them so much as I am worried about internal problems—that we have to face. We have to face an ordinary Devi Singh in Vindhya Pradesh saying “I will commit dacoity only in daytime; if anybody reports to Government I will cut off his nose”. There are a number of such incidents in Andhra and also in Hyderabad in certain parts by certain people who want to claim it in the name of progressive, economic and other kinds of philosophies, and they are indulging in such lawless acts. I therefore submit that it is with the fullest co-operation and with the fullest sanction of the people that we have to build up our democratic institutions and run this democratic Government of such a huge country, probably greater than most of the countries that claim to be Big Powers in the world today.

I appeal to Government that they should take up this question in right earnest. I know it is rather too late, too complicated and too big a thing I am asking for. Because, the greatest leaders of the country and the greatest organisation, and also Government have been for various reasons postponing this question of reorganisation of the Provinces. But to have Part C and Part B States and these Maharajas and Rajpramukhs hanging on like this, and then to conduct the elections would not be becoming of this great House. I would therefore like to submit in all humility that this should be considered and something done practically.

5 P.M.

I do not want to detain the House much longer except to make one remark, which I have to submit. I know this that the hon. Law Minister will intervene or I may be interrupted by you, Sir, but I still venture to make this submission. I have carefully followed the debates of the 18th, 19th

and 20th April last when this House passed the Representation of the People Act and I greatly admired the hon. Law Minister when he condescended to satisfy the Members from all the States, who were demanding that the number of seats in the Assemblies should be increased. I had seen Dr. Deshmukh asking for 203 seats for Madhya Pradesh, while Dr. Ambedkar agreed to 232 seats. The same is the case with Rajasthan and Mysore. My hon. friends, the great champion of Mysore, Mr. Hanumanthayya, Mr. Bharathi of Madras and so many others have been successful in raising these figures. Unfortunately Hyderabad was not represented then and I find when there are 25 seats in Parliament for Hyderabad State, by what has been called “a convenient multiple number”, which is eight for Rajasthan and Madhya Pradesh, and seven for Hyderabad, the total number of seats for the Assembly for Hyderabad was 175 and these could have been conveniently raised to eight and 200. The Hyderabad Government had expressed its desire and they also tried to conduct elections on that basis on 8th March, when the elections for the Constituent Assembly which was promised to the people of Hyderabad had ultimately to be postponed. I therefore appeal to Dr. Ambedkar. I know the difficulty involved in bringing up a private Bill and also how you Sir had to obtain 100 peoples signatures for the Mutts Bill, a private Bill; I know it will be so difficult. I therefore appeal to Dr. Ambedkar to introduce a Bill in the next Assembly and increase our number to at least 200 if not 225. With these remarks, I support this Bill with the amendment which my hon. friend, Mr. Kamath has suggested that the Bill should be referred to a Select Committee.

Mr. Deputy-Speaker: May I make one suggestion to the House. It is no doubt five o'clock and hon. Members are anxious to go. I find at the same time that a number of hon. Members are anxious to speak also and if we go on for a quarter of an hour more and allow five minutes for each Member, I think we can finish it.

Hon. Members: No, no.

The House then adjourned till a Quarter to Eleven of the Clock on Thursday, the 14th December, 1950.